

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 150102-SU

APPLICATION FOR INCREASE IN  
WASTEWATER RATES IN CHARLOTTE  
COUNTY BY UTILITIES, INC. OF  
SANDALHAVEN.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 19

COMMISSIONERS  
PARTICIPATING: CHAIRMAN ART GRAHAM  
COMMISSIONER LISA POLAK EDGAR  
COMMISSIONER RONALD A. BRISÉ  
COMMISSIONER JULIE I. BROWN  
COMMISSIONER JIMMY PATRONIS

DATE: Thursday, December 3, 2015

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: LINDA BOLES, CRR, RPR  
Official FPSC Reporter  
(850) 413-6734



**P R O C E E D I N G S**

**CHAIRMAN GRAHAM:** Okay. I have a quorum. So we have a couple of elected officials here in the audience, so before I reconvene, I always like to, out of respect for their positions and the things that they have to do and their constituency, invite them up to say a few words, and then we can continue the hearing.

So Representative Roberson, come to the microphone, please, sir. Welcome to our Commission chambers.

**REPRESENTATIVE ROBERSON:** Thank you, Mr. Chairman. I appreciate you giving me this opportunity to speak on behalf of my constituents in Charlotte County. Many of them got up at 5:00 this morning to take a bus trip up here, and you're going to be hearing from them shortly.

I've had the opportunity to review the memorandum dated November 18th. It's certainly thorough with all the staff analysis and recommendations, but at the end of the day I really think the proposed rate increase is excessive. And after your consideration and review, I think hopefully you will modify that proposed request to increase the rates so dramatically.

So thank you for the opportunity to be here, and I'm sure you're looking forward to hearing from my



1 constituents, who are the customers of this utility.

2 Thank you.

3 **CHAIRMAN GRAHAM:** Representative, thank you  
4 very much for coming down. I know you guys are in the  
5 middle of your committee week and your time is tight,  
6 but we do appreciate you coming down.

7 **REPRESENTATIVE ROBERSON:** Okay. Thank you.

8 **CHAIRMAN GRAHAM:** Thank you. And I also have  
9 Commissioner Bill Truex.

10 **COMMISSIONER TRUEX:** Thank you, Mr. Chairman.  
11 I appreciate the opportunity to be here today. And I  
12 want to thank you for, first of all, for setting this  
13 time today to allow them to make the trip up here. It  
14 was very important.

15 I am the district representative back in  
16 Charlotte County for these folks, so they are my direct  
17 constituents. And I too went through the packet and I  
18 do understand that there's a lot of analysis done on  
19 this. I had some questions that I've tried to get a  
20 little bit of answers out of, basically how the U&U is  
21 taken care of, the used and useful. And I just think  
22 that there's probably an opportunity here to step back a  
23 little bit and reevaluate that particularly, and I know  
24 that there's going to be some testimony, so to speak,  
25 later on in reference to this.



1 But, you know, I also think it's excessive, I  
2 have to agree with the Representative, and I do hope  
3 that the committee will take a step back and really look  
4 at this very hard. So thank you again for the  
5 opportunity.

6 **CHAIRMAN GRAHAM:** Thank you. I appreciate you  
7 very much, and thank you for coming down.

8 Okay. So we will reconvene the Agenda  
9 Conference, and we are on Item No. 19. Is that correct?  
10 Yes. We're on Item No. 19. And we have several  
11 speakers here to speak today, and we are going to let  
12 their attorney, OPC, handle bringing them up. And who  
13 is going to be that person?

14 Hold on a second. Commissioner Edgar.

15 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman.  
16 I look forward to the discussion and hearing from OPC  
17 and the customers and all. If you will allow me, I am  
18 not sure that on the motion I made on the last item that  
19 I included the oral modification. That was certainly my  
20 intent, and so I just wanted to say that for the record.

21 **CHAIRMAN GRAHAM:** Okay.

22 **COMMISSIONER EDGAR:** Thank you very much.

23 **CHAIRMAN GRAHAM:** OPC.

24 **MR. SAYLER:** Thank you, Mr. Chairman. Erik  
25 Sayler with the Office of Public Counsel. We have ten



1 speakers that have come today. Speaker number  
2 seven, Mr. Nick Mack, was unable to come. So instead of  
3 being 11 there are now ten.

4 So I would like to call Mr. Leroy Furman,  
5 President of Fiddler's Green II. And Mr. Furman does  
6 have a handout that he would like to share with the  
7 Commission.

8 **CHAIRMAN GRAHAM:** If we can have somebody from  
9 staff hand that out for him, please.

10 **MR. SAYLER:** I believe Mr. Furman was going to  
11 bring that with him to the podium, so.

12 **CHAIRMAN GRAHAM:** And let me go through some  
13 of the -- some of our rules here in the Commission  
14 chambers. Number one, there is no clapping or booing or  
15 hissing because I know there's going to be people that  
16 are going to say things you like, there's going to be  
17 people who say things you don't like. We'll just let  
18 them speak as their will and show them that courtesy,  
19 number one.

20 Number two, you'll be allowed three minutes to  
21 speak. There's a light box in front of you. When the  
22 light turns yellow, you know you have two minutes left;  
23 when it turns solid red, you have 30 seconds left; and  
24 when it flashes, you should be done. And so when you  
25 come up to the microphone, if you can just give me your



1 name. I have addresses here, so that's not necessary,  
2 but I need your name for the record so when they call  
3 you --

4 **MR. FURMAN:** Yes. Leroy Furman, F-U-R-M-A-N.

5 **CHAIRMAN GRAHAM:** Let me finish.

6 **MR. FURMAN:** Oh, sorry.

7 **CHAIRMAN GRAHAM:** So when you come to the  
8 microphone, if you'd just give your name, and that way  
9 the court reporter, as she's typing up your testimony,  
10 is assigning the name with each testimony and we don't  
11 have to try to weed through that later on. That all  
12 being said, please, sir.

13 **MR. FURMAN:** My name is Leroy Furman. I'm the  
14 President of the Fiddler's Green Condo Association II.  
15 A little on my background is I spent 30 years in estate  
16 and business planning, and my background is in  
17 logistics.

18 And I'd like to read this statement I got.  
19 This has to do with the rate increase by Sandalhaven.  
20 And it says, "The ratepayers didn't create the problem.  
21 It wasn't a bad business or poor management decision by  
22 the ratepayers that created the problem. It was poor  
23 management and bad business decisions made by the  
24 utility that created the problem when they expanded too  
25 fast and the management of the facility.



1            "It didn't have to shut down. However, they  
2            knowingly and willingly violated their license and their  
3            permit. Sandalhaven operated in violation of its permit  
4            by processing tens of thousands of gallons per day over  
5            the permitted capacity, and this caused major leakage  
6            and seepage problems in and around the facility,  
7            including the grounds of Fiddler's Green Condo  
8            Association II. Mike Wilson, an employee of Utilities,  
9            Inc. and the plant operator's immediate supervisor, told  
10          me that the water was coming from sheet flow. He denied  
11          it was coming from the plant, which was proven by the  
12          DEP to be incorrect. After extensive research by the  
13          DEP and the failure to correct the deficiencies, the  
14          utility was eventually ordered to be offline by  
15          October 1, 2015, by the DEP in a consent order issued  
16          October 9th, 2014.

17           "Very often the noxious odors coming from the  
18           facility were unbearable, causing many owners of  
19           Fiddler's Green Condo II to close their windows and  
20           doors to get relief. All these people you see here,  
21           they're being represented by the PSC.

22           "There was no attempt by the utility to work  
23           with the ratepayers to solve any of these problems.  
24           Look around the room. These people traveled more than  
25           six hours to attend this meeting and to be able to have



1 a voice as ratepayers who are being asked to reward a  
2 business for making bad management and poor business  
3 decisions. When bad management and poor business  
4 decisions are made, businesses fail. But because of a  
5 special statute that private franchised utilities  
6 operate under they cannot fail, and there's something  
7 wrong with that picture.

8 "They offer investors a fair rate of return in  
9 excess of 10 percent. Incidentally, I'd like to know  
10 who are the investors. When a business makes bad  
11 management and poor decisions and it fails, the  
12 investors lose. Why do the ratepayers have to -- who  
13 have no say in the operation of a private utility have  
14 to guarantee any rate to the investors? This should be  
15 the responsibility of the utility. However, by using  
16 these exorbitant rates and under the special statute,  
17 the utility will not be held accountable for making poor  
18 management and business decisions.

19 "Most of the people being served by this  
20 utility are on fixed or subsidized incomes. Even  
21 collectively they cannot afford to hire lawyers to meet  
22 with the PSC staff on a regularly scheduled basis to be  
23 present to present their views to the utility."

24 **CHAIRMAN GRAHAM:** Mr. Furman, your time is up.

25 **MR. FURMAN:** I didn't -- my light is not on.



1           **CHAIRMAN GRAHAM:** Next time if you'd just let  
2 it stay on so he can see it blinking.

3           **MR. SENA:** It might have gotten disconnected.  
4 I've got to check it.

5           **CHAIRMAN GRAHAM:** Okay. Go ahead. I'll give  
6 you another minute.

7           **MR. FURMAN:** I don't need another minute.

8           **CHAIRMAN GRAHAM:** Okay.

9           **MR. FURMAN:** But my lights didn't work.

10          **MR. SAYLER:** Mr. Chairman, the customers would  
11 like to call Pastor Brian Arden [sic] from the Faith  
12 Lutheran Church to come testify.

13          **CHAIRMAN GRAHAM:** Pastor, just hold on just a  
14 second. We're dealing with technical --

15          **MR. ARMEN:** While you're dealing with a  
16 technical light issue, can I clarify who I am on the  
17 roster?

18          **CHAIRMAN GRAHAM:** Sure.

19          **MR. ARMEN:** Because my last name is spelled  
20 A-R-M-E-N. And Faith Lutheran Church where I am pastor  
21 is at 551 Rotunda Boulevard West. My personal address  
22 is 6800 Placida Road, No. 116. The church is not served  
23 by Utilities, Inc. of Sandalhaven, but I live and am a  
24 resident in that area. Members of my congregation are  
25 also residents of the area served by Utilities, Inc. of



1 Sandalhaven.

2 Are we ready to -- no, we're not ready to  
3 begin yet.

4 **CHAIRMAN GRAHAM:** Well, number one, I do  
5 appreciate you correcting the record because it's always  
6 good to have things correct, and we especially don't  
7 want for notifications that may go back out going to the  
8 wrong location, or for somebody trying to say that we  
9 don't -- the utility doesn't even go to the church. So  
10 thank you very much for correcting that.

11 Sir, you can just go ahead. I've got the time  
12 right here in front of me.

13 **MR. ARMEN:** Okay. I will try to stay within  
14 the lights.

15 Thank you, Mr. Chairman and Commissioners, for  
16 hearing our testimony today. And thank you, Leroy, for  
17 sharing our thoughts, which are echoed by the members at  
18 Fiddler's Green Association I where I am on the board  
19 and also secretary of that board.

20 A rate increase of 137 percent, which is the  
21 second increase in what I believe to be about  
22 three years, indicates some significant change has  
23 happened in our area. Perhaps, one, mismanagement of  
24 the system, perhaps indicated by reports in the paper  
25 about a DEP consent order, and perhaps building for



1 future capacity that didn't develop as in other reports.

2 Who is responsible for prudent or imprudent  
3 decisions of the Utilities, Inc. of Sandalhaven that  
4 have led to this rate increase? I know when our church  
5 had to do an expansion serviced by another utility, our  
6 church itself had to pay \$100,000 for a lift station to  
7 be installed so that current users were not paying the  
8 cost for our addition. And that didn't sit well with  
9 the church, but that's the law and that's what we had to  
10 abide by and that's what we did.

11 I would like to share some statistics on the  
12 type of people in our area. Our church has an ability  
13 to draw a map of an area, which I did, indicating the  
14 Utilities, Inc. of Sandalhaven area. It drew  
15 information from the U.S. Bureau of Statistics, Synergy  
16 (phonetic) Technologies, and Experian, as well as  
17 Decision Insight, and that information shows 83 percent  
18 of our members are senior citizens, 25 percent of our  
19 housing is less than \$99,000, 57 percent of our  
20 membership is coming with housing costs under \$149,000.  
21 71 percent of our people are not employed; they are not  
22 in the labor force. They are either retired or senior  
23 citizens.

24 Given these realities, it appears as that  
25 Utilities, Inc. of Sandalhaven believes that the sole



1 responsibility of the prudent or imprudent planning and  
2 business decisions lies with the consumers who have no  
3 say in their business operations. I would implore the  
4 Commission in your decision not to grant this outrageous  
5 increase of 137 percent. Do not reward the utility  
6 company for imprudent decisions regarding the operation  
7 and expansion of capacity that never developed that we  
8 are now being asked to pay for. Please do not make the  
9 utility and its investors whole at the expense of the  
10 approximately 70 percent of its customers who are senior  
11 citizens or unemployed. Please do not grant the  
12 request.

13 (Applause.)

14 **CHAIRMAN GRAHAM:** Please, we'll have none of  
15 that.

16 Pastor, thank you very much for your comments.  
17 OPC.

18 **MR. SAYLER:** Thank you, Mr. Chairman.

19 Just to back up to Mr. Furman, he had two  
20 different handouts. The first handout was his comments  
21 from today, and the other handout were his comments that  
22 he shared with the Commission staff back at the  
23 September 24th customer service meeting.

24 **CHAIRMAN GRAHAM:** Okay.

25 **MR. SAYLER:** Ms. Jane Aman, and I hope I



1 pronounced that right. And followed by Ms. Aman will be  
2 Mr. Martin Atkins.

3 **MS. AMAN:** Good afternoon. Actually I  
4 pronounce it Aman, but that's fine. It's a simple name  
5 that gets pronounced different ways.

6 Prior to my retirement I worked for over 20  
7 years for the New York State Association of Retarded  
8 Citizens, which is the largest provider of services to  
9 people with developmental disabilities.

10 My husband and I moved to Fiddler's Green in  
11 April. While looking at property, our broker did point  
12 out to us that this was -- the current sewage treatment  
13 plant was operated by a private company and that they  
14 were going to dismantle the plant sometime during this  
15 year due to past operational problems. This was  
16 important for us to hear as there was a definite strong  
17 odor of sewage wafting in the air at that time. We have  
18 always had either septic systems or sewage water  
19 services provided by municipalities. We never gave a  
20 thought to having a problem with our sewage treatment  
21 being handled by a private company.

22 Our first indication was -- that we were wrong  
23 came about this summer when we found out that Utilities  
24 was requesting a monthly rate increase in excess of  
25 \$100. A shocker, to say the least. We have all heard



1 of price gouging, but this was just ridiculous.  
2 Spending that kind of money would be like flushing money  
3 down the drain. I could have used some other words  
4 except money.

5 The justification Utilities, Inc. had  
6 presented for this outrageous increase appears to be  
7 based on poor management decisions made by the company,  
8 which is now trying to cover its operational losses at  
9 our expense. That is its problem. It's not ours. If  
10 any company experiences financial problems, it cannot  
11 just expect its customers to ante up the funds to pay  
12 for its mistakes. Unfortunately, we are not able to  
13 just say keep your services, we're going to find a new  
14 provider. How we would just like -- love to walk out  
15 and become part of another local sewage treatment plant.

16 Like many retirees, our reason for making  
17 Florida our retirement destination was, of course, its  
18 wonderful climate, but it was also an economic decision.  
19 Shelling out over \$100 a month to dispose of sewage was  
20 not in our retirement budget calculations.

21 The impact of this proposed sewage rate is  
22 also going to have dire results for property owners who  
23 some day might want to sell their properties. When  
24 potential buyers see the sewage bill they will have to  
25 pay compared to other areas, they will certainly start



1 looking elsewhere for more affordable services.

2 Prices for most goods and services have a  
3 tendency to rise over the years and I am sure all of us  
4 accept that fact, but to be burdened with such a huge,  
5 immediate increase is just unacceptable.

6 In medieval England, which is my home, there  
7 are five groups of robber barons. They just extorted  
8 money from their tenants whenever they needed cash to  
9 cover their excessive lifestyle debts. I feel  
10 Utilities, Inc. has fallen into this category. It has  
11 just become a 2015 robber baron, probably in cahoots  
12 with its shareholders, whoever they may be.

13 **CHAIRMAN GRAHAM:** Ma'am --

14 **MS. AMAN:** I hope you will take my comments  
15 into consideration when making your decision. Thank  
16 you.

17 **CHAIRMAN GRAHAM:** Thank you.

18 **MR. SAYLER:** Mr. Martin Atkins from The  
19 Hammocks of Cape Haze.

20 **MR. ATKINS:** Good afternoon, Commissioners.  
21 And, Mr. Chairman, thank you for allowing us to give  
22 testimony here today.

23 My name is Martin A. Atkins, a permanent  
24 resident of Florida. And presently I would like to give  
25 the following testimony.



1 I've got a bachelor's degree from the  
2 University of Bridgeport in Connecticut, a major in  
3 economics and accounting. I also hold a designation as  
4 a CLU from the American College in Bryn Mawr,  
5 Pennsylvania. More importantly, like yourselves, I was  
6 a commissioner of a rate setting commission. That was  
7 the Health Care Rate Commission in Massachusetts. Our  
8 commission was a little different than yours. We had a  
9 completely independent staff who made recommendations to  
10 the commission. We heard testimony from the providers,  
11 which were either hospitals, nursing homes, mental  
12 health facilities, social service agencies, and after a  
13 public hearing and receiving the testimony, we made our  
14 decision. Prior to that we had no discussions with  
15 staff. Everyone was treated on an equal basis. And  
16 that's all we're asking from you.

17 Sandalhaven was granted a franchise many years  
18 ago and -- to provide sewer and water treatment services  
19 to a small section on Placida, Englewood, Cape Haze.  
20 They committed themselves to provide effective  
21 management, efficient operations, and a well-run system.  
22 They have failed in all of these three categories.  
23 Today with only approximately 825 customers, of which  
24 they had originally anticipated in excess of 3,000, they  
25 have not even been able to handle that. In fact, their



1 plant was shut down as mandated by DEP.

2 But as we stand here today, Sandalhaven has  
3 not proven that this rate increase is necessary. They  
4 have gone through the formulas, they have given us all  
5 the statistics, all their expenditures, and essentially  
6 they're asking for a bailout.

7 If you approve any substantial portion of this  
8 request, it will be interpreted as a reward for gross  
9 mismanagement, and I know in my heart you would not want  
10 that to happen. I can tell you this, if you were on the  
11 board of directors of Utilities, Inc., you would have  
12 fired those responsible for running Sandalhaven. Not  
13 only that, you would have written off the total  
14 investment to zero and ceded that plant to Englewood  
15 many years ago.

16 Today, in finalizing my remarks, we're only  
17 asking to be on an equal footing, and I would just  
18 mention a couple of categories here. Return of capital.  
19 Return of capital historically has been granted to  
20 utilities for a guarantee to raise capital. This  
21 utility has no longer a need to raise any capital in  
22 the lower Placida year. Okay. Essentially also with  
23 corporate overhead, there's an allocation here of  
24 approximately \$150,000 for corporate overhead. With  
25 running a simple pipeline of two miles, we feel it is



1 unnecessary to allow even one cent for corporate  
2 overhead.

3           Additionally and finally, we think that  
4 Sandalhaven is presently mismanaged and they should have  
5 contracted with Englewood for any additional expenses  
6 that they permanently -- that they presently incur that  
7 is in your rate base today. One just happens to be an  
8 engineer, a person to monitor the system. And I feel,  
9 after talking with many experts in the field, that that  
10 cost of in excess of \$65,000 should be reduced by at  
11 least 40 because I know that Englewood could do this on  
12 an hour and a half to two hours a day, which is  
13 basically 20 percent of the 65,000 in the rate base.

14           That concludes my remarks. I appreciate your  
15 time and effort in hearing from me and hope you make the  
16 correct decision. Thank you.

17           **CHAIRMAN GRAHAM:** Thank you, sir.

18           Hold on a second, sir. We have a question for  
19 you. Commissioner Brown.

20           **COMMISSIONER BROWN:** Thank you. Thank you for  
21 coming and providing your testimony. You just recited  
22 some numbers, and could you just repeat those again?

23           **MR. ATKINS:** The one about the return on  
24 equity?

25           **COMMISSIONER BROWN:** No, the 65,000.



1           **MR. ATKINS:** 65. I know in the  
2 recommendations presented by staff originally they had a  
3 rate adjustment -- originally Sandalhaven had, I  
4 believe, two and a half people, two and a half persons  
5 to run their system, and I believe they had reduced that  
6 down to essentially a one-time full-time equivalent.  
7 And I feel that -- and I believe it was 65,000 in that  
8 calculation. I believe that they could have contracted  
9 with Englewood for not only that service but for others  
10 to monitor their system for essentially \$20,000 per  
11 year.

12           **COMMISSIONER BROWN:** Thanks so much.

13           **CHAIRMAN GRAHAM:** Thank you, sir.

14           **MR. ATKINS:** Thank you.

15           **CHAIRMAN GRAHAM:** OPC.

16           **MR. SAYLER:** Thank you, Mr. Chairman. I'd  
17 like to call Mr. Coleman Wholean, who is the operator of  
18 Cape Haze Car Wash.

19           **CHAIRMAN GRAHAM:** Sir, welcome.

20           **MR. WHOLEAN:** Thank you. Coleman Wholean,  
21 Cape Haze Car Wash. I appreciate having the time to  
22 speak here today. I only relatively recently learned  
23 about this. I'm a new owner to this car wash. My  
24 business, basically I purchased it with the intent to  
25 maybe in ten years or so have the opportunity to retire



1 and run a small business.

2 This rate increase will cause me to have to  
3 increase the rate that I am charging to my customers,  
4 who are, as was stated earlier, on a fixed income. The  
5 likelihood that they will stay using the same car wash  
6 is slim to none because there is one-half mile down the  
7 road another car wash. They charge the same rate I do  
8 now. They won't raise their rates. I'm going to lose  
9 customers.

10 If I don't run my car wash properly, if I  
11 don't fulfill the duties that are expected of me by my  
12 customers, I lose customers. The utility company has  
13 apparently not run their utility company properly. And  
14 what do they do? Instead of losing customers which they  
15 can't lose, they just come to you and request another  
16 rate hike. Apparently this is the third rate hike since  
17 2006 that they requested. Don't allow it.

18 There's a much more reasonable rate that you  
19 can have them get through. Like, as was stated earlier,  
20 if they need a rate hike, I'm sure something a whole lot  
21 more reasonable than 97 or 130 percent -- I've heard two  
22 different numbers batted around -- can be reached. But  
23 send them back to the drawing board. Make them figure  
24 it out so that the rate is reasonable and so that  
25 businesses like mine and several others -- there's



1 restaurants in our plaza that are going to suffer from  
2 it. This is going to affect a lot of businesses. Here  
3 we have a busload of 60 people that came up here, which  
4 is actually, in the total number of people that this  
5 company services, 825, I believe, that is a good number  
6 of people to turn out to speak to any board, to speak to  
7 anybody, especially when you take into account that we  
8 had to get on a bus at 5:00 this morning. I just  
9 strongly request that you deny any rate hike. Thank  
10 you.

11 **CHAIRMAN GRAHAM:** Thank you, sir. Thank you  
12 for coming up, for your testimony.

13 **MR. SAYLER:** Ms. Joanne --

14 **MS. AGOSTAROLA:** Agostarola.

15 **MR. SAYLER:** Thank you.

16 **MS. AGOSTAROLA:** I thought I'd help you there.  
17 Like you said, you have the spelling, you have my  
18 address, you have all the stuff that you need.

19 Okay. Thank you very much for the opportunity  
20 to meet with you as one of the 835 Sandalhaven  
21 customers. We have traveled more than 750 miles today  
22 in order to demonstrate the serious financial impact  
23 that the rate increase will impose upon us.

24 In a recent November 23rd letter from the PSC,  
25 it stated, and I quote, the Commission is required to



1 set rates that are just, reasonable, compensatory, and  
2 not unfairly discriminatory. I respectfully ask you how  
3 does approving this unbelievable rate increase meet your  
4 requirements? How is a rate increase just and  
5 reasonable when Sandalhaven customers are already paying  
6 more than all customers that use wastewater services in  
7 Charlotte County, Boca Grande, and Englewood, all of our  
8 neighbors? With a 94 percent increase recommended by  
9 your staff, we will be paying more than twice as much as  
10 any non-Sandalhaven customer. Allow me to repeat that,  
11 more than twice as much for the privilege to continue to  
12 flush our toilets.

13 Current customers should only pay for property  
14 needed to serve current customers, not property  
15 anticipated to serve potential future customers. We're  
16 being held hostage by Sandalhaven. They have a monopoly  
17 hold on us. When other local utilities offer the same  
18 service at half the price, you have to question the  
19 business decisions being made by Sandalhaven.

20 In closing, I wholeheartedly endorse and  
21 support the concerns, observations expressed by my  
22 fellow customers here today. Respectfully I ask you  
23 consider what you hear today on behalf of the 835  
24 customers our 911 call to you as we have nowhere else to  
25 go. So, please, do not grant Sandalhaven this



1 outrageous increase. Thank you.

2 **CHAIRMAN GRAHAM:** Ma'am, thank you very much.

3 **MR. SAYLER:** Skipping over Mr. Nick Mack, the  
4 owner of the Ristorante Italiano who couldn't make it  
5 today, calling Mr. Lloyd Abbot, President of Hacienda  
6 Del Mar Association.

7 **MR. ABBOT:** Good afternoon. My name is Floyd  
8 Abbot. I'm a retired naval officer and naval aviator.  
9 I'm here to represent the 112 unit owners in our  
10 condominium. We comprise more than 10 percent of the  
11 customer base that's involved in this rate increase. I  
12 have over a hundred petitions strongly opposing the rate  
13 case which I'd like to place on file with the  
14 Commission.

15 **CHAIRMAN GRAHAM:** That guy you're giving it to  
16 is the perfect person.

17 **MR. ABBOT:** We strongly resonate with all the  
18 comments made by previous speakers. I have four points  
19 that I'd like to make. Economic downturn. Many  
20 Sandalhaven customers purchased their units during the  
21 2005 to 2008 time frame just before the economic  
22 downturn. Units are now worth substantially less and  
23 the planned growth in our corridor never materialized.  
24 Sandalhaven was unreasonably aggressive in their growth  
25 forecasting. No one is helping us with our situation



1 and no one should help Sandalhaven. Theirs was a pure  
2 business decision, and they should be responsible for  
3 the consequences of the downturn. Customers -- current  
4 customers should pay for property needed to serve  
5 current customers. They should not pay for property  
6 needed to serve potential future customers.

7 Point two, reasonable rates and rate  
8 increases. It has been only two years since Sandalhaven  
9 last requested a rate increase from Charlotte County.  
10 At that time they were requesting a 100 percent increase  
11 and received 38 for essentially the same level of  
12 service. The rationale for the increase then is the  
13 same as it is now, and they are now seeking a  
14 139 percent increase. This is generally referred to as  
15 double-dipping. We question the rationale for the PSC  
16 staff recommendation of a 94 percent rate increase.

17 If you look at the recent history of  
18 Sandalhaven rates, they were receiving 7.92 per thousand  
19 gallons prior to the latest request. With the interim  
20 increase it went to \$9.35 per thousand. Our three  
21 closest water/wastewater facilities are charging \$4.34,  
22 Charlotte; \$3, Englewood; and \$5, Boca Grande, per  
23 thousand. To make matters even worse, Sandalhaven is  
24 paying Englewood 7.28/thousand gallons while other  
25 Englewood residents are paying \$3. Normally businesses



1 get a discount for volume and our rates should be less  
2 than the \$3, but Sandalhaven has requested approval to  
3 charge \$18.93 per thousand gallons and the PSC has  
4 recommended 15.36. Neither of these rates represent a  
5 fair market value for the service being provided. If  
6 Sandalhaven were competing for business with these  
7 proposed rates, they would go out of business.

8 PSC roles. The website, your website  
9 addresses the role of the PSC. It uses phrases such as  
10 "making sure Florida's consumers receive essential  
11 services in a safe, reasonable, and reliable manner,"  
12 and "PSC exercises regulatory authority over utilities  
13 in one or more of the key areas: rate base, economic  
14 regulation, competitive market oversight, and monitoring  
15 of safety, reliability, and service." Given this, we  
16 question how the PSC can ignore the fact that these  
17 three nearby waste operations are charging a quarter to  
18 a third of what Sandalhaven is requesting. There's no  
19 justification for this disparity. Sandalhaven is a  
20 monopoly. And it seems to us that one of your charter  
21 responsibilities should be to ensure fair and  
22 competitive rates, not reward a company making bad  
23 decisions.

24 I have one last point. Sandalhaven value  
25 added. Sandalhaven waste processing has been shut down



1 by the Florida Department of EPA. All they are doing  
2 now is pumping wastewater to Englewood for processing.  
3 There is no treatment being performed at Sandalhaven.  
4 What is the PSC staff's rationale for recommending a  
5 \$15.36 per thousand gallons when Sandalhaven is doing  
6 nothing but transporting sewage for others to process?

7 Okay. Bottom line, we are requesting that you  
8 vote not only to deny Sandalhaven's request for further  
9 rate increase, but roll back their rates to be  
10 consistent with those of our neighbors.

11 **CHAIRMAN GRAHAM:** Mr. Abbot.

12 **MR. ABBOT:** If Sandalhaven cannot make a  
13 business out of these more reasonable rates, we request  
14 that the PSC --

15 **CHAIRMAN GRAHAM:** Mr. Abbot.

16 (Microphone turned off.)

17 (Applause.)

18 Now I have been patient. I do appreciate the  
19 fact that you all came down here. More than 7 percent  
20 of your utility came down here. That says a lot. There  
21 will be no clapping. You guys are given three minutes.  
22 Please understand that. I've been patient and let you  
23 go over that. That's completely fine. There's really  
24 no need to quote back to us what our rules are. We do  
25 know what our rules are. If you can get to the facts



1 that we don't have, we would appreciate that.

2 Mr. Abbot, I apologize I did it right after  
3 you spoke. I do appreciate your military service and  
4 thank you so very much for your service to the country.  
5 One of the questions I wanted to ask you before you  
6 walked away is how many petitions did you turn in?

7 **MR. ABBOT:** 101.

8 **CHAIRMAN GRAHAM:** 101. Sir, thank you very  
9 much.

10 OPC, next speaker, please.

11 **MR. SAYLER:** Yes, Mr. Chairman. Ted Wilson,  
12 President of Harbortown Village Property Owners  
13 Association.

14 **MR. WILSON:** Mr. Chairman, I also have  
15 32 signed petitions from the owners at Harbortown  
16 Village Property Association to submit.

17 **CHAIRMAN GRAHAM:** Thank you.

18 **MR. WILSON:** My name is Ted Wilson. I'm the  
19 President of Harbortown Village Property Owners  
20 Association. Prior to this I was Product and Marketing  
21 Manager for 35 years for Commercial Intertech in  
22 Youngstown, Ohio, and Plant Manager for Pentoha  
23 (phonetic) Logistics in Youngstown, Ohio, for five  
24 years.

25 I'd like to thank the Commissioners for taking



1 the time to listen to the concerns of all of us here  
2 today that represent the vast majority of the customers  
3 of Utilities, Inc. of Sandalhaven.

4 First I'd like to say I'm in complete  
5 agreement with all the information presented to you by  
6 the previous members. The idea that the current  
7 customer base is being asked to fund the infrastructure  
8 necessary to process wastewater for not only themselves  
9 but for all possible future customers simply does not  
10 make any sense for any business model, regulated  
11 monopoly or otherwise.

12 Another area of concern is the issue of  
13 competitive rates. And I won't preach to you. You know  
14 about one of your areas of authority is competitive  
15 market oversight. The proposed rate increase by  
16 Sandalhaven as well as staff's recommendation for a rate  
17 increase are astronomically higher than the other waste  
18 handlers in the area who are literally just across the  
19 street. One of these is actually processing our  
20 wastewater for Sandalhaven and charging them more than  
21 double than they do for their regular customers.

22 And it's my opinion that there really was no  
23 need to really close this plant. There were people who  
24 are actively seeking reprocessed water for many uses.  
25 Charlotte County is currently running a line right up



1 through the same area to provide reclaimed water to  
2 everyone, and they have signed contracts for many.

3 No real value added here because there's no  
4 processing being done. Again, this simply doesn't meet  
5 my interpretation of competitive rates. In a zero  
6 interest rate, low inflation rate environment, even the  
7 idea of 100 percent increases would seem to be beyond  
8 imagination.

9 What really disturbs me about this whole  
10 matter is this. Most, if not all, of the  
11 customer-generated information that we are presenting to  
12 you here today was presented in verbal, written, and  
13 videotaped formats at the previously mentioned public  
14 hearing held in Englewood on September 24th, 2015. I  
15 find it almost impossible to understand how none of this  
16 information seems to have been considered in staff's  
17 recommendation report as I read it. If I were in your  
18 position and I were hearing this information for the  
19 first time, I'd be concerned that there's a systemic  
20 problem somewhere in the flow of information. Just --  
21 that's just me.

22 I certainly don't claim to fully understand  
23 the complexity of making regulatory decisions. You,  
24 ladies and gentlemen, are the experts. I can only ask  
25 that you apply that expertise and wisdom to all of the



1 facts that are presented here to you today and base your  
2 decision on them. Thank you for your patience and  
3 understanding.

4 **CHAIRMAN GRAHAM:** Thank you very much for your  
5 testimony.

6 **MR. SAYLER:** Mr. Robert Lang, Chairman of the  
7 Franklin Township Sewer Authority in Pennsylvania, who  
8 is also a customer of the utility. Mr. Lang.

9 **MR. LANG:** Good afternoon, and thank you. My  
10 name is Robert Lang. For the last 25 years I've been  
11 Chairman of the Franklin Township Sewer Authority in  
12 Green County. We process approximately a million and a  
13 quarter gallons per day. We began operation in the  
14 1973/74 area, and in 2010 we increased our rate by  
15 25 percent. It was a 36-year run with no increase. We  
16 did that because we just finished a \$12 million plant  
17 expansion to serve our clients. Any time a developer  
18 came to us for sewage, either they paid to have the line  
19 put in at our specification or we put the line in and  
20 they paid for it. Our ratepayers were never subject to  
21 pay for lines put in at a developer's pleasure. It is  
22 unconscionable that the ratepayers should be financially  
23 responsible for paying an overcapacity building that we  
24 had no say in. That was poor management and we should  
25 not have to pay for it. We are not the federal



1 government bailing out Chrysler or GMC.

2 Construction has increased in the area and  
3 will continue to increase, and those costs that they  
4 incurred will slowly be mitigated, but we, the current  
5 owners, should not be paying for bad practice by a  
6 utilities company. I'll ask that my additional time be  
7 passed on to speaker number 11, Clark Gillaspie. I'm  
8 sure he'll need more time. Thank you very much.

9 **CHAIRMAN GRAHAM:** Sir, thank you very much for  
10 your testimony today.

11 **MR. SAYLER:** The customers would like to call  
12 Mr. Clark Gillaspie or Gillaspie, the Association  
13 Manager of Cape Haze Resort. He does have a handout, so  
14 if he could be assisted with that, that would be  
15 appreciated.

16 **MR. GILLASPIE:** I have petitions here, 108.  
17 Thank you. And this is the handout.

18 **CHAIRMAN GRAHAM:** Are these the same petitions  
19 or are these different petitions?

20 **MR. GILLASPIE:** These are different.

21 **CHAIRMAN GRAHAM:** Different verbiage?

22 **MR. GILLASPIE:** Pardon me?

23 **CHAIRMAN GRAHAM:** Is it the same verbiage as  
24 the other petition?

25 **MR. GILLASPIE:** It's similar, but all of us



1 prepared different versions.

2 **CHAIRMAN GRAHAM:** Okay. Okay. I just wanted  
3 to make sure.

4 **MR. GILLASPIE:** Are we ready?

5 **CHAIRMAN GRAHAM:** He'll restart it for you.

6 **MR. GILLASPIE:** Okay. Thank you very much.

7 Dear Commissioners, thank you. Thank you for  
8 this opportunity. Here we are again. How many times is  
9 this company going to get a rate increase based on  
10 essentially the same set of facts? Sandalhaven expanded  
11 their system and was awarded a rate increase in 2007 to  
12 compensate. That should have been the end of it. But  
13 three years later they went to Charlotte County, same  
14 infrastructure, same management, same company, same  
15 basic set of ratepayers, and they were awarded a 38  
16 percent increase. To us that was outrageous, but we  
17 thought that that was the end of it. It wasn't. Here  
18 we are again with rates perhaps doubling.

19 What has changed since 2007 to justify this?  
20 What is happening to us? Well, we could say that the  
21 plant closed. But surely such a material thing as that  
22 would have made sense only if there was not going to be  
23 a negative cost increase to us. A simple analysis, and  
24 it's in my handout, shows that those costs could be as  
25 high as 375, maybe even more on an annual basis. That's



1 a lot. We feel that any and all costs related to that,  
2 the early retirement of a plant should be borne by  
3 Sandalhaven and not by the ratepayers.

4 As to all the other material issues, why is  
5 the same set of facts resulting in these massive  
6 increases? Commissioners, I don't mean in any way to be  
7 insulting by this, but this system doesn't seem to be  
8 working for us.

9 You know, one of the basic principles of  
10 ratemaking is that costs should follow the cost causer.  
11 The current ratepayers are not causing cost increases,  
12 so why are rates increasing? Current customers should  
13 not pay for future growth. Perhaps the most -- perhaps  
14 most hearing cases can be handled on a formulaic basis,  
15 but I don't think this is one of them. We just know  
16 this isn't right and that's why we're here today.

17 You know, would you impose this on your  
18 friends and family? How do you explain to your neighbor  
19 that his rates are going up 2.3 percent -- 2.3 times,  
20 pardon me, and that's spelled out in my handout,  
21 compared to the neighbor across the street? That's just  
22 a huge amount of money. That's a huge difference. What  
23 we're -- we're in your hands. Okay? Please help us out  
24 here. This is the Public Service Commission, not the  
25 Utility Service Commission. And, again, I don't mean



1 that to be insulting in any way, but our choices are  
2 taken away from us, and we're in your hands and we need  
3 your help.

4 You know, Sandalhaven was not prudent in  
5 expanding their plant the way they did. If you look at  
6 the growth in our corridor over the last 25 years, it's  
7 been 20 to 30 units a year. That's not very much. When  
8 you go in and put facilities in that can serve as many  
9 as 3,000 units, that's 100 years of growth. That's not  
10 prudent.

11 You know, we all paid upfront for these  
12 connection fees. And in the case of the community I  
13 represent, we paid over \$200,000, but we're now being  
14 asked this time to pay again for the same facilities  
15 that we've already paid for.

16 You know, if you capitalize the rate increase  
17 that staff has recommended, use the Kiplinger multiple,  
18 15.7 times, this is a \$10 million gift, and it comes  
19 right out of the pockets of the ratepayers and into the  
20 pockets of the utilities. It's huge. We pay for it in  
21 our monthly rates. \$52,000 a year for my community.  
22 Again, it's in my handout. We pay for it in decreased  
23 property values, and we pay for it in the harm it does  
24 to some of our local businesses.

25 You know, we didn't make the bad decisions.



1 You know, we ratepayers didn't make any of these  
2 decisions but Sandalhaven did. You know, normal market  
3 forces would cause a company to be responsible for the  
4 harm it has caused. All we're asking here is that you  
5 please simply let Sandalhaven pay the consequences for  
6 its actions and not us. Again, let them feel free  
7 market forces. Any other company that mismanages its  
8 assets or overbills has to make a choice. They either  
9 tough it out, you know, wait until the market catches up  
10 with them, or they go out of business. You know, please  
11 help us out on this. You know, the costs again should  
12 follow the cost causer. And we're not causing, we're  
13 not causing the increases. We're the innocent ratepayer  
14 here. Thank you very much for your consideration.

15 **CHAIRMAN GRAHAM:** Thank you, Mr. Gillaspie.  
16 Thank you for your testimony today.

17 Is that it?

18 **MR. SAYLER:** Mr. Chairman, I don't have  
19 anymore speakers that signed up ahead of time. I don't  
20 know if there are any other citizens who would like to  
21 speak.

22 **CHAIRMAN GRAHAM:** Is there anybody else in the  
23 audience before I close public hearing -- public  
24 testimony that would like to speak? I know you guys  
25 came all this way. If there's something that hasn't



1       been said that you feel like you need to say. Sir.

2               **UNIDENTIFIED SPEAKER:** My bills were wrong --  
3       one of my bills was wrong again this month. I paid six  
4       times the usage charge than was the actual usage.

5               **CHAIRMAN GRAHAM:** Okay. Well, thank you very  
6       much. Once again, it means a lot for us to see this  
7       kind of participation, to see this kind of feedback.  
8       People think that customer participation means that you  
9       guys really care about what's going on here. Your  
10      emails, your letters, the fact that you're here all  
11      means a lot, and the fact that you guys all had to get  
12      up today at 5:00, that means a lot.

13              **UNIDENTIFIED SPEAKER:** 4:00.

14              **CHAIRMAN GRAHAM:** 4:00.

15              **UNIDENTIFIED SPEAKER:** 3:45.

16              (Laughter.)

17              **CHAIRMAN GRAHAM:** Okay. Staff, let's tee up  
18      Item No. 19 for us, please.

19              **MS. BRUCE:** Good afternoon, Commissioners.  
20      I'm sorry. Give me just a minute.

21              I'm sorry. My name is Sonica Bruce on behalf  
22      of Commission staff. Item No. 19 is Utilities, Inc. of  
23      Sandalhaven's application for an increase in wastewater  
24      rates in Charlotte County. The utility is a  
25      wastewater-only utility serving 835 customers.



1           In 2014, DEP received a complaint from  
2   representatives of the Fiddler's Green Homeowners  
3   Association regarding leaching of wastewater into  
4   surrounding areas. In October of 2014, DEP issued a  
5   consent order that required the utility to divert all  
6   flows from the wastewater treatment plant to the  
7   Englewood Water District and decommission the wastewater  
8   treatment plant.

9           The diversion project was completed on  
10   November 2nd, 2015, and the decommissioning of the  
11   wastewater treatment plant was completed within the past  
12   week. Staff's recommended revenue increase is  
13   93.81 percent. The major issue in this case is used and  
14   useful.

15           The utility and its representatives are  
16   present as well as Office of Public Counsel and its  
17   customers. Staff is prepared to answer any questions  
18   that you all may have.

19           **CHAIRMAN GRAHAM:** Thank you, staff.

20           Mr. Friedman.

21           **MR. FRIEDMAN:** Thank you, Mr. Chairman,  
22   Commissioners. Marty Friedman, attorney for Utilities,  
23   Inc. of Sandalhaven. To my left is Mr. John Hoy, who is  
24   the president; Patrick Flynn, who's the vice president;  
25   and I think y'all know Jared Deason, who's the financial



1 analyst for the company. We're going to split up our  
2 issues as lead person back and forth, if we could.

3 Do you want to go through them, issue one by  
4 one or --

5 **CHAIRMAN GRAHAM:** Let's start with your first  
6 issue.

7 **MR. FRIEDMAN:** Okay. Our first issue or --

8 **CHAIRMAN GRAHAM:** I'm sorry?

9 **MR. FRIEDMAN:** The first issue that we have?

10 **CHAIRMAN GRAHAM:** Yes.

11 **MR. FRIEDMAN:** All right. The first issue  
12 that we would like to address is Issue No. 3, and it's a  
13 small issue but has significant repercussions. And that  
14 is that the staff is suggesting that we amortize the  
15 abandoned plant over ten years, which is fine, but then  
16 they go a step further and said in ten years after  
17 you've amortized that plant, we want you to reduce your  
18 rates and kind of like what you do for rate case  
19 expense.

20 The problem with that is two-fold. One is  
21 that while it's specifically provided for by statute for  
22 rate case expense, it is not provided for by statute for  
23 any other expenses, and I would suggest that the  
24 Commission doesn't have the authority to do that.

25 And secondly, and also importantly, is this



1 expense is less than 1 percent of the current year's  
2 revenue. In ten years you can imagine how miniscule the  
3 amount of money we're talking about will be compared to  
4 the revenue in ten years. So it makes no logical -- in  
5 addition to it being legally insufficient, it makes no  
6 logical sense. It will cost more to make this refund in  
7 ten years than we're going to be refunding. And so I  
8 would suggest to you that from a legal and practical  
9 standpoint, the amortization period ends, it ends, and  
10 there's no rate reduction directly associated with that.

11 The next issue that we want to discuss is  
12 Issue No. 5. There's two aspects of that issue as well.  
13 One legal, which I will address, and one practical,  
14 which Mr. Flynn will address.

15 We did a handout earlier, it's probably at the  
16 bottom of your handouts because it was the first one,  
17 and, you know, just for your convenience we provided you  
18 with a copy of Section 367.081(2)(a). And down at the  
19 bottom, and you'll see we've highlighted some language  
20 in it, it speaks to exactly what occurred in regard to  
21 Utilities, Inc. of Sandalhaven and it having to abandon  
22 its plant and interconnect. And it says,  
23 "Notwithstanding the provisions of this paragraph,"  
24 which talks about growth and used and useful, it says,  
25 "the Commission shall," there's the word shall, "approve



1 rates for service which allow a utility to recover from  
2 customers the full amount of environmental compliance.  
3 Such rates may not include charges for allowances for  
4 prudently invested or similar charges." That's not at  
5 issue in this. And then it goes on to discuss that  
6 environmental compliance includes all reasonable  
7 expenses and a fair return on any prudent investment  
8 incurred by a utility complying with the requirements or  
9 conditions contained in any permitting, enforcement, or  
10 similar decision of USEPA, DEP, a water management  
11 district, other government entities.

12 And you heard the gentleman earlier say  
13 that -- I agree that DEP required Utilities, Inc. of  
14 Sandalhaven abandon this plant because the plant was no  
15 longer -- the ponds were no longer treating the effluent  
16 to state standards, and the only logical alternative was  
17 to interconnect, and the DEP entered into a consent  
18 order with the utility. And Mr. Flynn will tell you the  
19 status of compliance with that consent order. But the  
20 upshot is that pursuant to this provision of 367.081(2),  
21 this interconnection line, which the staff has said in  
22 Issue 1 was a prudent investment to make, this rule  
23 requires that it be included entirely in plant without  
24 any adjustment for used and useful.

25 And then I'll point out one other thing is



1 that the Public Service Commission's used and useful  
2 rule is on wastewater treatment plant. The rule wasn't  
3 adopted to address pumps or mains or generators or any  
4 other thing or part of a wastewater facility. It was  
5 intended to address wastewater treatment plants. And we  
6 went through lots of rulemaking on that issue for many  
7 years. And so I would question whether it would be  
8 appropriate to make a used and useful adjustment to this  
9 main for purposes that the rule was not intended to  
10 cover. And I'm going to let Mr. Flynn weigh in on the  
11 specifics.

12 **CHAIRMAN GRAHAM:** Mr. Flynn.

13 **MR. FLYNN:** Thank you, Commissioners. In  
14 regard to the comment Mr. Friedman made, I'm happy to  
15 report that the treatment plant, Sandalhaven wastewater  
16 treatment plant is fully decommissioned. In fact, the  
17 DEP official was onsite to verify that was the case and  
18 expects to deliver a closure letter for the consent  
19 order that's currently open. So essentially the plant  
20 is no more and the consent order will be closed within  
21 about a week.

22 My comment, in addition to what Mr. Friedman  
23 said, has to do with the excess I&I adjustment made by  
24 staff, which is primarily a function of the information  
25 provided by the utility in its MFRs, Schedule F6.



1 Subsequent to that MFR submittal, we discovered the fact  
2 that we had not included a significant portion of the  
3 sewer main assets that are in our inventory in service.  
4 And so upon identifying that error, we identified the  
5 corrected number and submitted that to staff. That has  
6 the impact of identifying that there's no excess I&I  
7 present in our system, and, therefore, because excess  
8 I&I is not occurring, I respectfully ask that the rates  
9 be adjusted to reflect the fact that there should be no  
10 excess I&I adjustment for purchased power, chemical  
11 expenses, or purchased wastewater treatment in order to  
12 be consistent with the facts presented in the docket.

13 **CHAIRMAN GRAHAM:** Mr. Flynn, why wasn't that  
14 information supplied the first time?

15 **MR. FLYNN:** It was our oversight in preparing  
16 the MFRs. We had incorrectly identified the total  
17 volume of pipe, although it was the case in the 2007  
18 docket that pipe length was included and identified. So  
19 it was our oversight in the MFR preparation. We  
20 identified it subsequently.

21 **CHAIRMAN GRAHAM:** Staff?

22 **MS. WATTS:** And what would you like to know?

23 **CHAIRMAN GRAHAM:** Well, let's start with --  
24 we're with Issue 5.

25 **MS. WATTS:** Yes.



1           **CHAIRMAN GRAHAM:** What both the attorney and  
2 the -- what Mr. Friedman and Mr. Flynn had to say about  
3 it.

4           **MS. WATTS:** Okay. I believe we should let the  
5 attorneys address the things that Mr. Friedman said on  
6 the DEP requirements.

7           **CHAIRMAN GRAHAM:** Okay.

8           **MS. WATTS:** As far as the excess I&I, he did  
9 provide that information very late. And when I looked  
10 back at the previous docket in '07, they had provided  
11 a -- it was for a future test year, and they had  
12 provided 29,000 -- more than 29,000 feet of 8-inch pipe,  
13 but they had not provided the length of pipe that they  
14 had included in the MFRs this time. And so the total  
15 back then was 29,863, and now 40,930 for the total. So  
16 it's -- it still wasn't quite right, but we do accept  
17 that that pipe is probably in the ground. And we have  
18 a -- would use the methodology for calculating I&I that  
19 we have used consistently before this Commission, and my  
20 calculation comes up with an 11.07 percent excess I&I.

21           **CHAIRMAN GRAHAM:** Okay.

22           **MR. BALLINGER:** Commissioner?

23           **CHAIRMAN GRAHAM:** Yes, sir.

24           **MR. BALLINGER:** If I may add a little to that  
25 on the I&I. It is correct, it was not provided to staff



1 in the MFRs. Our interim rate recommendation that went  
2 out had the calculations, and they're showing the  
3 lengths of pipe used provided by the company.

4 The company at that time had the opportunity  
5 to correct staff or at least point it out. They did not  
6 until this hour. While I agree with Ms. Watts that we  
7 really don't have any doubt to not agree with the  
8 number, the length of pipe, we do have to have some  
9 demeanor in our process to have information on time, in  
10 a timely manner so staff can do its job and not at the  
11 eleventh hour. That is to your discretion of how we do  
12 that.

13 **CHAIRMAN GRAHAM:** I don't have a problem with  
14 that at all. I'm just trying to understand.

15 **MR. BALLINGER:** And I -- if you like, I can  
16 speak to the DEP requirement and to the statute.

17 **CHAIRMAN GRAHAM:** Sure.

18 **MR. BALLINGER:** As you know, I'm not an  
19 attorney, but I can say this, the way staff interprets  
20 that is this is correct if DEP or the EPA had required,  
21 let's say, the closing of a well or something of that  
22 nature, and that's fine. And this may be true for the  
23 closing of the plant. But DEP did not mandate an  
24 interconnection, DEP did not permit the size of the  
25 interconnection. So I think to draw that leap that the



1 interconnection should be fully utilized because of a  
2 mandate is a little different. I don't think that's the  
3 intent of the statute is to deal with mandates of what  
4 DEP or other environmental regulations are proposing.

5 **CHAIRMAN GRAHAM:** Okay. Mr. Friedman, what  
6 other issues?

7 **MR. FRIEDMAN:** Thank you, Commissioners. I've  
8 got one issue, one on Issue 10, weighted cost of  
9 capital. The rule requires for utilities of this size  
10 to calculate the debt based on you take the first year  
11 and the last year and then you average it. And the  
12 staff didn't like what number came out of that, so they  
13 just took a 12-month average instead of that. And my  
14 only concern with that is, you know, we've got a rule  
15 that says how to file it and what's the appropriate way  
16 to determine a particular thing based upon the size of  
17 the utility, and then have the staff decide we don't  
18 like the result, so we're going to do it a different  
19 way. And I just don't think that's appropriate to do  
20 that. You got a rule that tells you how to do it. You  
21 do it. You take the result, good, bad, or ugly.

22 The next issue we want to address is Issue  
23 No. 12, which are wages and salaries. And I think Jared  
24 and Patrick are going to address that.

25 **MR. DEASON:** I just had one minor issue on the



1 way staff calculated the salaries and wages for  
2 Utilities, Inc. of Sandalhaven employees. Typically --  
3 well, not typically -- every year Utilities, Inc.  
4 provides a 3 percent cost of living adjustment for all  
5 of our employees. We recognize the economic realities  
6 that our employees face. Their compensation has to  
7 increase at a rate equal to inflation plus any increases  
8 in taxes just to stay the same. If we don't provide  
9 those, they will fall behind and they may seek  
10 employment elsewhere. So we have always historically  
11 provided that 3 percent cost of living adjustment.

12 In staff's recommendation, they wanted to  
13 remove that for the non-operator salaries. We did not  
14 feel it was appropriate to treat some of our employees  
15 deserved it and others did not. So we would ask that  
16 the Commission put back in the 3 percent, our annual  
17 3 percent cost of living adjustment.

18 **CHAIRMAN GRAHAM:** Mr. Flynn, did you have  
19 anything to add to that?

20 **MR. FLYNN:** The only other thing on that item  
21 has to do with the excess I&I adjustment paragraph where  
22 in Item 5 as well as this one the adjustment proposed by  
23 staff applied that adjustment to the power generating  
24 equipment account, which essentially is an emergency  
25 generator asset located at the master lift station, but



1 the master lift station is considered 100 percent used  
2 and useful by the staff recommendation. So I didn't --  
3 I don't understand the inconsistency in applying, excuse  
4 me, a rate adjustment, used and useful adjustment to the  
5 emergency generator account.

6 **CHAIRMAN GRAHAM:** Okay. Mr. Friedman, other  
7 issues.

8 **MR. FRIEDMAN:** Well, I think on 13, and 13  
9 deals with two different things, one, I&I, as Mr. Flynn  
10 mentioned, and the other is another small thing, but,  
11 you know, consistency is something I try to stress, and  
12 that is the bad debt expense. Staff used a three-year  
13 average. And there's one year that's got a gigantic  
14 negative number, so obviously it's an anomaly. And so  
15 usually when I've seen the staff use averages like they  
16 did -- I know they used to do for computer, computer  
17 repair work, if they saw an anomaly, they took it out  
18 and used, you know, used the next year down. So they  
19 had a three-year average but they took out the year that  
20 was an anomaly. And this year -- in this situation they  
21 just kept the anomaly in because it resulted in a lower  
22 bad debt expense. And I think the more appropriate  
23 thing to do, consistent with what's done in the past, is  
24 they should have used a full three-year average using a  
25 year -- all three years that were -- that didn't include



1 anomalies in it.

2 Again, Issue 13 includes I&I adjustments that  
3 we talked about that is just an oversight in getting  
4 that information, and we didn't discover that until we  
5 saw the huge amount of the excessive I&I, and we knew  
6 that there wasn't that kind of I&I because we had done  
7 work on the system to make sure there wasn't. And that  
8 was when we did that research, we discovered that we had  
9 not included, I think, 2,600 feet of a particular type  
10 of line, a whole line item of a particular type of line  
11 wasn't included. And it's there. It's there, everybody  
12 knows it's there. Nobody says it's not there. We ought  
13 to correct that error. It's just a simple mathematical  
14 error, and the staff said, I think, it results in a  
15 11 percent excessive I&I.

16 The next issue is rate case expense that Jared  
17 is going to address.

18 **MR. DEASON:** I just wanted to address two  
19 small oversights on the part of staff. In the first  
20 data request that staff provided to us, in our response  
21 to that, they wanted some updates as far as invoices  
22 from our consultants who were preparing MFRs. I think  
23 there was some misunderstanding in the reading of the  
24 invoices and the subsequent time sheets that were  
25 submitted. Unfortunately it gave the impression that



1 certain work was performed after the MFRs were filed. I  
2 think there was a date of June 5th when the MFRs were  
3 filed June 3rd. The date that was provided, June 5th,  
4 was a week ending date, so it represented all the work  
5 that was done the week prior to June 5th, which fell in  
6 the time -- the few days before the MFRs were filed. So  
7 that -- all the work that was done on that invoice was  
8 not duplicative, as staff suggested. It was legitimate  
9 costs that we incurred.

10 There was also another item related to travel  
11 expenses. In response to staff's third data request,  
12 they required -- they requested us to provide detail  
13 regarding our travel expenses which mainly came down to  
14 mileage, tolls, meals, hotel for us to attend a customer  
15 meeting in Englewood as well as this Agenda Conference  
16 here. That was provided in that data request, all the  
17 detail to that. I think it was just -- it was buried at  
18 the end of a very lengthy response, so I think it was  
19 just a simple oversight on staff's part.

20 The two items together come to exactly \$4,268,  
21 and we would request that those legitimate costs be  
22 added to and put back in with rate case expense.

23 **CHAIRMAN GRAHAM:** Staff?

24 **MR. BUYS:** Dale Buys with Commission staff.  
25 Going back to the cost of capital, the weighted average



1 of short-term debt, Sandalhaven's cost of short-term  
2 debt is allocated down from the parent, and the parent's  
3 cost of -- the way they calculate their cost of  
4 short-term debt, which is per rule, is using the simple  
5 average methodology. The simple average methodology  
6 yields a -- using that methodology yields a short-term  
7 interest rate of 7.77 percent. We believe that it's  
8 more appropriate to use a 13-month average methodology  
9 and to determine a short-term debt cost rate of 2.23  
10 percent.

11 Now the reason this occurs is that when you  
12 use the simple average, the company is paying interest  
13 expense on a balance -- a 13-month average balance of  
14 about 13 -- almost \$14 million over the year. When you  
15 use the simple average balance, which takes smaller  
16 monthly balances in December of 2013 and 2014, that  
17 total outstanding balance is only \$4 million. So when  
18 you use the simple math -- the simple average  
19 methodology, you're dividing the \$310,000 interest  
20 expense by the \$4 million, which yields the much higher  
21 short-term interest rate. And we just don't believe  
22 that that reflects the true cost of short-term debt that  
23 the parent company is paying and we don't believe that  
24 that should be allocated down to Sandalhaven.

25 And this was the same -- a similar decision



1 the Commission made back in the Labrador rate case where  
2 the utility also used a simple average, and they -- the  
3 Commission compared that to the Sanlando case, which  
4 also used a 13-month average. And the reasoning there  
5 was that it just didn't reflect the true cost of debt  
6 for Labrador and that the two companies, Labrador and  
7 Sandalhaven and Sanlando, were all sister companies that  
8 get their debt allocated down from the parent. And we  
9 just believe that should be consistent across the board  
10 for all three utilities at this point and all Utilities,  
11 Inc. companies.

12 **CHAIRMAN GRAHAM:** Okay.

13 **MR. BUYS:** Going on to the salary expense,  
14 staff -- talking to the 3 percent decrease, the decrease  
15 was applied to approximately -- if I could look back at  
16 my -- let's see. It was applied to approximately  
17 eight -- \$21,000 of salary expense that we removed the  
18 3 percent increase from. That increase was anticipated  
19 salaries in 2016, and we felt like that was outside of  
20 the test year and it shouldn't be included in the rate  
21 case in this situation. We did include a 3 percent  
22 increase for the operator salaries, which was about  
23 \$60,000. We have 1.2 operators allocated for  
24 Sandalhaven in this case, and we just believe that next  
25 year the operators are out in the field, they're doing



1 the work, and they're specialized employees, and we felt  
2 like that would probably be more appropriate to ensure  
3 that they have the appropriate salary.

4 **CHAIRMAN GRAHAM:** Okay. What about that rate  
5 case expense?

6 **MR. BUYS:** The rate case expense, we do agree  
7 with the utility. That was an oversight on the staff's  
8 part.

9 One note with the travel expense, this is a  
10 new expense that the utility is going to submit to -- in  
11 their future rate cases from our understanding, that  
12 they are going to collect or attempt to collect the  
13 mileage, the tolls, and meals for their Florida  
14 employees to attend the customer meetings and the Agenda  
15 Conferences, which staff does not object to that.  
16 That's an expense they will incur to attend the  
17 meetings. And that was not usually included in prior  
18 rate cases. So we don't have an objection to that  
19 expense that they did incur through the accounting fees  
20 and the travel expenses. It is not included in the rate  
21 case currently. It would be up to your discretion to  
22 include that as well.

23 **CHAIRMAN GRAHAM:** Mr. Friedman, other issues.

24 **MR. BUYS:** Oh, I'm sorry. I think there's the  
25 bad debt expense. I think I missed that one as well.



1           The bad debt expense, we had several  
2       discussions with Mr. Deason about the bad debt expense.  
3       We were trying to get a handle on what the appropriate  
4       amount would be. Using the amounts that were in the  
5       annual reports, we did have a negative anomaly. And,  
6       likewise, using the three-year average, that's what the  
7       math resulted in. We tried to get a better handle on  
8       just what the utility was going to pay. He provided a  
9       subsequent document. And the average for 2013, '14, and  
10      '15, I believe, would come out to be about \$1,833.  
11      Staff is recommending 1,800 -- approximately the same  
12      amount.

13           The company calculated a little bit higher  
14      amount of \$4,768 using 2012, 2013, and 2014; however, we  
15      have another anomaly in 2012, or it appears to be an  
16      anomaly, that it's \$11,000 in 2012. So you can see  
17      it's -- the bad debt expense can fluctuate. It depends  
18      on what the company has in their records. So we believe  
19      that the amount that staff is recommending is still  
20      appropriate on a going-forward basis.

21           **CHAIRMAN GRAHAM:** Utilities, Inc.

22           **MR. HOY:** Yes. Thank you, Mr. Chairman. John  
23      Hoy for the utility. Just two final issues.

24           Issue No. 17 whereby -- in the staff  
25      recommendation there's no consideration for any type of



1 repression. We believe that -- I mean, it's hard to  
2 believe that there won't be any repression as a result  
3 of this, which does hurt the utility in the ability to  
4 actually collect the revenue that may be granted here  
5 today. I think the issue is that -- the staff has done  
6 an excellent job with the repression model they have on  
7 the water side. I think it's one that's actually  
8 nationally recognized as a best practice. We just ask  
9 for some consideration here for that type of adjustment  
10 or in future cases at least apply it to wastewater  
11 utilities and take that into account that there may be  
12 repression and the inability of the utility to get the  
13 revenue it's granted.

14 The last issue is the issue related to the  
15 AFPI charge, Issue 23. The AFPI charge is -- in this  
16 case is being reset. So based on the new used and  
17 useful numbers, the AFPI charge would be reset to a new  
18 number today. And in normal circumstances that would,  
19 that would be the way it would work. The problem is  
20 that in order to -- with the closing of the plant and  
21 the new used and useful recommendation that's being done  
22 for the other plant, normally you get up to that higher  
23 used and useful by additional customers coming on and  
24 paying that AFPI. The problem is that the utility -- we  
25 haven't had any customers coming up paying the AFPI



1 along that time frame so that we haven't been able to  
2 collect the AFPI for the ten years that that plant has  
3 been unused and unuseful during that period. So we  
4 would request that the AFPI charges just stay at what  
5 they are today instead of being reset, and that's it.

6 **MR. FRIEDMAN:** That's all we have, although we  
7 would like to be able to respond to any comments that  
8 OPC may make. Thank you.

9 **CHAIRMAN GRAHAM:** OPC.

10 **MR. SAYLER:** Mr. Chairman, we do have three  
11 handouts to pass out. We can do them as we reach our  
12 issues or we can do them all at once.

13 **CHAIRMAN GRAHAM:** Let's just do them all at  
14 once.

15 **MR. SAYLER:** All right. Give me a moment to  
16 give this to staff.

17 Mr. Chairman, with your indulgence, while  
18 they're passing out the handouts, I'm not going to refer  
19 to those handouts --

20 **CHAIRMAN GRAHAM:** Sure.

21 **MR. SAYLER:** -- during this introduction.

22 Good afternoon, Commissioners, Mr. Chairman,  
23 also Chairman-Elect Brown. How are you doing today?

24 **COMMISSIONER BROWN:** Okay.

25 **MR. SAYLER:** Ms. Vandiver and I are here on



1       behalf of the Office of Public Counsel for the customers  
2       of Sandalhaven. I've also asked Mr. Clark Gillaspie,  
3       who you heard from earlier today, to be able to chime in  
4       and respond to some of the issues related -- that we're  
5       going to be touching on today. So if it's possible,  
6       Jared, do you mind if Mr. Gillaspie sits there? Thank  
7       you.

8               We're really addressing three main issues  
9       today: Quality of service, Issue 1; used and useful,  
10      Issue 5; and salaries and wages, Issue 12. There are  
11      handouts for each of the three issues which set forth  
12      some of our positions and our recommendation.

13             And when it comes to responding to the company  
14      and their various issues, I'll try to intersperse that  
15      within our discussion and dialogue here today. I will  
16      lead the discussion on quality of service and used and  
17      useful, Ms. Vandiver on salaries, but she may add  
18      additional information as necessary.

19             First I'd like to thank Representative  
20      Roberson and Commissioner Truex who came here today to  
21      represent their customers. I'd also like to thank the  
22      more than 50 customers that drove, as you know, many  
23      hours to be here. They rose well before dawn to be here  
24      to see how this process works. And, Mr. Chairman, thank  
25      you for giving some latitude to the speakers to share



1 their thoughts a little bit beyond the time frame.

2 I have to say these customers have expressed  
3 to me tremendous concern over the fact the utility has  
4 requested over a 130 percent rate increase just three  
5 years after they received a 40 percent rate increase  
6 from Charlotte County. But they're also concerned --  
7 they've expressed concern to me that they're a little  
8 concerned that staff is recommending a 94 percent rate  
9 increase, which, if approved without modification, it  
10 will double their rates. For a customer using  
11 2,000 gallons, their rates will go from \$42 a month to  
12 \$82 a month.

13 And at the customer meeting that was held in  
14 September, I met a woman who is a single mom with a son  
15 who was probably ten, 12 years old. She was one of the  
16 11 Habitat for Humanity customers that are within the  
17 Sandalhaven service territory. She couldn't stay for  
18 the whole time to be able to testify there, but she  
19 broke down in tears afterwards when I spoke to her as I  
20 caught her going out the door. She was in tears,  
21 holding her bill, not knowing how she's going to pay for  
22 the doubling of her rates. And at that time, you may be  
23 well aware that the interim rates had gone out  
24 inadvertently doubling the rates. So she was just  
25 beside herself. And not only her, but the other 11



1 Habitat for Humanity customers, this increase in rates  
2 is going to be troubling for them. Very hard for them  
3 to make ends meet, if they can make ends meet. Not only  
4 her and her son, but the other customers on fixed  
5 incomes --

6 **CHAIRMAN GRAHAM:** Mr. Sayler.

7 **MR. SAYLER:** Yes, sir.

8 **CHAIRMAN GRAHAM:** Can I get you to start with  
9 the issue that you have a problem with?

10 **MR. SAYLER:** Certainly. The first issue is  
11 the quality of service issue. And ultimately under the  
12 quality of service issue is embedded this idea that this  
13 rate increase will reward this utility for poor planning  
14 for excessive growth that is yet to come. It makes  
15 current customers pay for that future growth. It's  
16 axiomatic, as Mr. Gillaspie shared earlier, that costs  
17 should follow the cost causer. The customers didn't  
18 require the utility to expand the capacity as greatly as  
19 they did. The utility did. It was their choice. And  
20 that's where the used and useful rule comes into play,  
21 which we'll get to later on. However, the recommended  
22 rate increase will require current customers to pay for  
23 those projected future growth which may occur many years  
24 into the future.

25 But referring to our handout, quality of



1 service. A quality of service finding should be based  
2 upon past actions, actions that occurred during the test  
3 year, before the test year, and they should not be  
4 allowed to -- a utility should not be allowed to promise  
5 future improved quality of service in the future without  
6 being held accountable for its prior actions. And in  
7 this case, prior to the retirement of the wastewater  
8 treatment plant, the wastewater treatment plant was the  
9 lowest cost option for treating the flows for the  
10 wastewater treatment plant.

11 According to the 2014 test year, the  
12 wastewater treatment plant treated about 72,000 gallons  
13 per day or about half of the 150,000 gallons that this  
14 utility was originally permitted for before it was  
15 derated several times. Now the flows from this retired  
16 plant are redirected to the Englewood, and those flows  
17 actually account for more flows than are coming from the  
18 new development which the Englewood line lift station  
19 and force main were built and sized to treat.

20 As the customers stated earlier, they believe  
21 and we believe that it's possible that this utility  
22 imprudently managed the wastewater treatment plant to  
23 the detriment of its customers. We believe that the  
24 utility failed to make prudent decisions to maintain the  
25 wastewater treatment capacity and also reuse disposal



1 options.

2 As noted in the 2007 Commission order, when  
3 the company knew that it was losing the Wildflower Golf  
4 Course for reuse capacity, gray water disposal, the  
5 company did not prudently explore other means to dispose  
6 of that reuse in order to maintain the permitted  
7 capacity.

8 From a conversation I had in talking with the  
9 customers here, there's a local golf course nearby, the  
10 Lemon Bay Golf Course, which was interested in taking  
11 all of the reuse, but that option wasn't explored.  
12 Other customers, Mr. Gillaspie and others can say that  
13 there is a utility easement that runs along the east  
14 side of Placida Road behind all the new development that  
15 could have provided reuse water to all those new  
16 developments and future developments. Each of them will  
17 say they would have taken this reuse water that was no  
18 longer available to the Wildflower Golf Course that went  
19 out of business. They would have taken that reuse  
20 water, which would have allowed the utility to keep the  
21 permitted capacity of 150,000 gallons per day for the  
22 wastewater treatment plant. Had they had that capacity  
23 and had they maintained the wastewater treatment plant  
24 properly, we believe that they would not have had to  
25 prematurely retire this wastewater treatment plant.



1           According to the customers, there's other  
2       indicia of imprudent mismanagement. Customers are  
3       complaining that there are smells emanating from the  
4       plant, that they didn't maintain percolation ponds, and  
5       that because of not managing it properly, wastewater  
6       seeped out of the plant. That is well documented. The  
7       utility agrees that they had issues with violating their  
8       DEP permit, and because of that violation they ended up  
9       having to close it down.

10           Mr. Furman from Fiddler's Green in his  
11       September 24th comments at the customer meeting which  
12       you have before you which I don't believe are referenced  
13       in the staff's recommendation, he talked about how the  
14       utility failed to take action when the customers  
15       initially complained back in -- sometime in 2013. And  
16       they went around trying to find help. They went to the  
17       health department, and then the health department helped  
18       them get in contact with the DEP. In April of 2014, the  
19       customers filed a complaint with DEP. A month later the  
20       DEP said to the utility, you're in apparent -- out of --  
21       they sent the utility an out of compliance letter saying  
22       that there were problems, and then shortly thereafter  
23       the DEP derated that plant from 99,000 gallons per day  
24       to 45,000 gallons per day. And the flows that were  
25       going through that plant at that time exceeded that new



1 permit; thus, because they didn't maintain those ponds  
2 properly, they had to retire it per the consent order.

3 And we believe that these failures ultimately  
4 resulted in the early retirement of that plant, and for  
5 that reason we believe that this Commission should make  
6 a finding of unsatisfactory based upon the management of  
7 the wastewater treatment plant asset that they had to  
8 prematurely retire. In addition, for some of the  
9 customers -- the responses to the customers, we don't  
10 believe it was also satisfactory, and we also believe  
11 that the ROE should be reduced by a 100 basis point,  
12 which is about a \$7,000 adjustment.

13 But here -- and this gets into my next point,  
14 but I can stop now if there's any questions on quality  
15 of service at this time or I can move on to my next  
16 point.

17 **CHAIRMAN GRAHAM:** Okay. Commissioner Brisé.

18 **COMMISSIONER BRISÉ:** When -- if you can tell  
19 me when the jurisdiction was transferred again.

20 **MR. SAYLER:** Jurisdiction to Charlotte County  
21 was transferred in, I think, November of 2007, and it  
22 was transferred back to the Commission in November of  
23 2012.

24 **COMMISSIONER BRISÉ:** So all of these issues  
25 occurred between 2013 and now or are we -- or are you



1 asking the Commission to look back into 2011 and 2012 to  
2 address the unsatisfactory?

3 **MR. SAYLER:** We are asking the Commission to  
4 look not only at the test year but also look at the past  
5 actions of this utility as it relates to its management  
6 of this plant that go all the way back to the 2007 rate  
7 case with -- that this Commission had. The utility  
8 didn't seek reuse options to find other means of  
9 disposing of the effluent. When the Wildflower Golf  
10 Course went bankrupt, they just went to the DEP and said  
11 we don't -- I pulled the permits the other day. They  
12 just went to the DEP and said, "We need to re-rate our  
13 plant because we don't have a reuse option." Yet the  
14 customers will tell you that all these new condominium  
15 associations would have taken that reuse.

16 **COMMISSIONER BRISÉ:** And one last question.  
17 So in that time, in the interim time are there things  
18 that should have been addressed through maybe other rate  
19 cases in the interim, and did they go before Charlotte  
20 County and attempt to have those issues addressed? I  
21 mean, if you can help me with that.

22 **MR. SAYLER:** Yes, sir. Back to your earlier  
23 question, yes, we're asking you to look back beyond the  
24 test year. But I participated in the Charlotte County  
25 rate case. These issues were not teed up because the



1 wastewater treatment plant was still online. It was the  
2 lowest cost option. And it was recognized in that order  
3 that half of the flows would go to the wastewater  
4 treatment plant, and there was no mention -- I could be  
5 wrong, there may have been mention that it might be  
6 retired at that time, but half the flows were going to  
7 go there and then half of the flows were going to go to  
8 the Englewood district. The Charlotte County Commission  
9 made the appropriate used and useful adjustment for  
10 both. They found the wastewater treatment plant  
11 100 percent used and useful and it made a substantial  
12 used and useful adjustment. So these issues weren't  
13 necessarily teed up in that particular case, but we  
14 weren't in that situation where we're dealing with a  
15 prematurely retired wastewater treatment plant.

16 **COMMISSIONER BRISÉ:** Okay. I just think that  
17 that's a huge degradation in that amount of time. And  
18 --

19 **MR. SAYLER:** Yes. And the plant was re-rated  
20 to 99,000 gallons per day, I think, 2011, and that was a  
21 known factor in the Charlotte County rate case. It  
22 wasn't until May of 2014 that it was derated down to  
23 45,000 gallons per day.

24 **COMMISSIONER BRISÉ:** Okay. Thank you.

25 **CHAIRMAN GRAHAM:** Commissioner Brown.



1           **COMMISSIONER BROWN:** In that Charlotte County  
2 rate case that you said that you participated in --

3           **MR. SAYLER:** Yes, ma'am.

4           **COMMISSIONER BROWN:** -- was there a quality of  
5 service element to the consideration of the rates?

6           **MR. SAYLER:** There was a quality of service  
7 determination, and I believe it was satisfactory. Yes,  
8 I believe it was satisfactory.

9           **COMMISSIONER BROWN:** Thank you.

10          **CHAIRMAN GRAHAM:** Okay. Your next issue.

11          **MR. SAYLER:** All right. Segueing into  
12 Issue 5, used and useful, but just a little background.  
13 The effect of the premature retirement of the wastewater  
14 treatment plant affected the rates of all the  
15 Sandalhaven customers, not only the customers served by  
16 the Englewood connection, but also the customers served  
17 by the wastewater treatment plant. It forced the  
18 utility to build a new connection to redirect all flows  
19 to Englewood, and the cost of that connection would be  
20 added to rate base and would increase customer rates.  
21 It also led to the early retirement of the undepreciated  
22 amount of the wastewater treatment plant, and it also  
23 increased the volume of flows going to Englewood from  
24 64,000 to 136,000, which would generally lead to an  
25 automatic increase in the used and useful adjustment.



1           And when it comes to looking at the utility's  
2 requested used and useful adjustment, their argument is  
3 that because we have another option, we should get  
4 100 percent used and useful. Well, there are plenty of  
5 utilities around the state that have wastewater  
6 treatment plants that probably have some sort of used  
7 and useful adjustment and they're the only option. So  
8 that -- I'm not sure I buy that argument. But OPC also  
9 submits that staff's used and useful calculations are  
10 overstated. And the used and useful, by and far and  
11 large, is the largest cost driver in staff's  
12 recommended rate increase.

13           Regarding the utility's arguments about DEP,  
14 we agree with staff's analysis of it. The utility was  
15 not required by DEP to build a one million gallon per  
16 day force main, a half a million gallon lift station, or  
17 to buy 300,000 gallons of wastewater permit -- or  
18 wastewater treatment from Englewood.

19           Just a very, very brief history of the used  
20 and useful, the Commission's used and useful adjustment  
21 in this case. When you compare the key facts of the  
22 last two rate cases -- the 2007 Commission rate case,  
23 the Charlotte County case -- with the facts of this  
24 case, they are essentially the same with the exception  
25 of the retirement of the wastewater treatment plant and



1 the redirection of all wastewater flows to Englewood.

2 In the 2007 rate case, the Commission found  
3 used and useful for the Englewood connection to be 17  
4 percent, the force main interconnection to be 5 percent,  
5 and the lift station to be 10 percent. In the Charlotte  
6 County 2012 rate case it was increased. The treatment  
7 capacity went to 31 percent, the interconnection force  
8 main went to 9 percent, and the lift station went to  
9 almost 19 percent. And if you look at Schedule F10 on  
10 the handout that I provided, it shows how -- since the  
11 utility's 2012 rate case with Charlotte County, the  
12 number of ERCs as calculated by wastewater flows has  
13 decreased substantially, maybe 10 percent year over year  
14 for this rate case. But -- and despite the same facts,  
15 some modest customer growths. There is a number of new  
16 customers that have been added, but the overall flows  
17 have decreased.

18 And the apparent negative growth in the ERCs,  
19 the staff is recommending 100 percent used and useful  
20 for everything except for the force main, which is  
21 they're recommending 75 percent. We do not believe that  
22 this is reasonable. We do not believe it is supported  
23 by the documentation which the utility filed in support  
24 of its rate increase. It -- the utility has the burden  
25 of proof always, and we don't believe the utility met



1 its burden of proof.

2 And looking at the statute which I attached, I  
3 believe it's page 3 of my handout, the used and useful  
4 calculation, we believe -- or the statute -- staff's  
5 used and useful calculation doesn't follow the statutory  
6 formula. Section 367.081(2)(a)(2) states that property  
7 is used and useful in the public service if it is needed  
8 to serve current customers or it's needed to serve  
9 customers five years after the test year at an ERC  
10 growth rate of 5 percent per year. The statute does  
11 allow a third option to prove up used and useful, but  
12 that requires clear and convincing evidence which the  
13 utility has not provided in this case.

14 Second, when you look at the components of the  
15 staff's used and useful calculation, in addition to the  
16 flows redirected from the wastewater treatment plant and  
17 Englewood, they have added two more: guaranteed revenue  
18 flows and prepaid commitment flows.

19 Prepaid commitment flows and guaranteed  
20 revenue flows are not permitted by Section 366.081(2).  
21 The statutory used and useful formula only allows  
22 property be needed for current customers which would be  
23 evidenced by the wastewater treatment plant flows and  
24 the Englewood flows, and also customers five years after  
25 the end of the test year, which is that growth



1 allowance. Guaranteed revenues and prepaid commitments  
2 are not among the statutory criteria to calculate used  
3 and useful and, therefore, should be removed from the  
4 calculation.

5 Third, the growth allowance is overstated and  
6 results in approximately a 10 percent ERC growth for the  
7 purchase capacity and force main, and approximately  
8 21 percent annual growth, ERC growth for the primary  
9 lift station. And Ms. Vandiver has more details on  
10 those numbers if you need it.

11 Staff's growth allowance calculation  
12 apparently mixes units using both customer count and  
13 equivalent residential connections or ERCs instead of  
14 using ERCs alone, which is how staff calculated the used  
15 and useful adjustment in the 2007 order. As a result of  
16 mixing ERCs and customers in this calculation, the  
17 growth allowance exceeds the 5 percent per year growth  
18 rate mandated by statute and should be corrected. And  
19 you can see our correction on the schedule that we  
20 provided. It's highlighted in blue.

21 The adjustment for excessive inflow --  
22 infiltration inflow we believe should be applied to the  
23 used and useful calculations, not just for the Englewood  
24 interconnection or purchase capacity but also for the  
25 force main and the lift station. In the 2012 Charlotte



1 County rate case I&I was applied to all three components  
2 of the used and useful calculation. And we believe that  
3 in order to conform with the plain language of Section  
4 367.081(2) the calculation -- staff's used and useful  
5 calculation should be adjusted to match that of the used  
6 and useful calculation on page 2 of this handout. If  
7 made, that would decrease the purchase water treatment  
8 capacity used and useful down to 44.8 percent used and  
9 useful. The interconnection force main would be  
10 decreased from 100 percent to 31 percent. The primary  
11 master lift station from -- excuse me. The  
12 interconnection force main, yeah, from 100 percent --  
13 sorry. The interconnection force main should be  
14 31 percent and the primary master lift station should be  
15 32 percent. If these adjustments are made, the revenue  
16 requirement increase will be decreased by approximately  
17 \$457,000. That's about two-thirds of staff's  
18 recommended rate increase. That would be a tremendous  
19 boon for these customers.

20 And in closing on my two issues, current  
21 customers shouldn't pay for future growth. The  
22 statutory used and useful adjustment is designed to  
23 protect current customers from paying for future growth.  
24 In addition, the utility is protected by the  
25 Commission's allowance for funds prudently invested, or



1 AFPI, which is described in Issue 23. This allowance  
2 protects the customers for -- it allows the company to  
3 be made whole when future customers connect to the  
4 non-used and useful portion of the wastewater system.  
5 Therefore, when this Commission makes the appropriate  
6 used and useful adjustment, there should be a  
7 corresponding adjustment made to AFPI.

8 I will stop there, Mr. Chairman. If there are  
9 any additional questions on used and useful --

10 **CHAIRMAN GRAHAM:** Staff, would you like to  
11 address OPC's comments on used and useful?

12 **MR. BALLINGER:** Yes, sir. First, let me state  
13 that what staff has done with used and useful for these  
14 components is a bit novel. Our used and useful rules  
15 apply to wastewater treatment plants. And as discussed  
16 in the recommendation, we're dealing now with a force  
17 main and interconnection, and it's really a carryover  
18 from the 2006 rate case where you had two plants in  
19 service. You had the wastewater treatment plant and the  
20 interconnection. And at that time used and useful  
21 percentages were applied to the interconnection because  
22 you had this dual service, if you will, to recognize  
23 that current customers should not pay for future growth.

24 But in 2006 the Commission recognized in its  
25 order that the interconnection was the most



1 cost-effective alternative for what was coming down the  
2 road, that was the retirement of the waste treatment  
3 plant and future growth going forward. And the concept  
4 at that time was to have a Phase I rate with the high  
5 used and useful adjustment to the interconnection and  
6 then a Phase II rate with predominantly most of that  
7 interconnection going into rate base when the wastewater  
8 treatment plant retired. That was the philosophy going  
9 forward and that's what the Commission approved in '06.  
10 Phase II rates were never implemented because they  
11 transferred to Charlotte County, so that structure never  
12 happened.

13           So when we got this back, we had to look at --  
14 recognizing this plant was going to be retired. Excuse  
15 me. Now the citizens are served only by the single  
16 interconnection. That's their only source of treatment.  
17 So an argument could be made for 100 percent of  
18 everything. It's their only source to get it there.  
19 But staff is also cognizant of looking for future  
20 growth, so we carried on with this used and useful  
21 percentages. And there's, again, two different ways we  
22 did it.

23           On the actual capacity charges, if you will,  
24 to Englewood, we used a traditional average daily flow  
25 analysis and looked at it from that standpoint. Staff



1 also included the prepaids and the prior commitments  
2 because while they're not actually flows associated with  
3 those, those are monies that developers paid upfront to  
4 secure this capacity so that if they did show up today,  
5 the utility would have to serve them. So those funds  
6 have offset rate base, and we thought it was important  
7 to go ahead and include those flows in the used and  
8 useful calculation because the utility has to stand  
9 ready to serve those today, if required. Our growth  
10 allowance was done on a normal ERC basis for that  
11 component.

12 For the force main and the lift station we  
13 took a slightly different approach. Those are -- those  
14 facilities are for different purposes. They're  
15 typically not designed for average daily flow. They've  
16 got to handle peak flows. And staff looked at it from  
17 this standpoint, that if they're not on that standpoint,  
18 you could have severe ruptures and outages, things of  
19 this nature. So we did a used and useful based on peak  
20 flow data as opposed to average flow.

21 Again, this is an estimate because we're  
22 basing it on historic data, what the peak day was, using  
23 ratios to get to an approach. So it's a -- it is an  
24 estimate to try to look at the system as a whole and  
25 recognize what is the purpose of the system. With that



1 again we included the prepaids and the guaranteed  
2 revenues as those are, in our mind, existing customers.  
3 They have paid their commitment to get in line and they  
4 should be ready to be served. I think that covers it.

5 **MS. BROWNLESS:** And if I can just address a  
6 legal issue as to whether 367.081(2)(a)(2) prohibits  
7 what the staff has done here, that's not our reading of  
8 that section. I would point out that if you actually  
9 look at the statutory language, it says unless a longer  
10 period is approved by the Commission and if a longer  
11 period more than five years after the end of the test  
12 year is approved, the company has to show -- present  
13 clear and convincing evidence to justify the inclusion  
14 of flows more than five years in the future. And for  
15 the reasons that Tom just explained, we believe that, in  
16 fact, the company has justified that, which is  
17 completely consistent with the language of 367.081(2).

18 **CHAIRMAN GRAHAM:** Mr. Friedman, would you like  
19 to address Issue No. 5, used and useful, other than what  
20 you've already said?

21 **MR. FRIEDMAN:** Do you not want us to address  
22 the quality of service issue at this time?

23 **CHAIRMAN GRAHAM:** If you want to tear that  
24 Band-Aid, you can.

25 **MR. FRIEDMAN:** I just -- I want to make sure



1 we don't leave any stone unturned.

2 **MR. SAYLER:** Mr. Chairman, before we get too  
3 far afield, there was an error in staff's calculation.  
4 We looked at their schedules that they provided to us  
5 that show how they miscalculated -- or incorrectly  
6 calculated the growth adjustment. We have a handout at  
7 the appropriate time to show where they conflated the  
8 ERCs with customers.

9 **CHAIRMAN GRAHAM:** That's on which one?

10 **MR. SAYLER:** Used and useful. Mr. Ballinger  
11 said that staff calculated the growth allowance using  
12 ERCs. But if you look at the schedule that was provided  
13 to OPC, it clearly shows a customer number or something  
14 approximating a customer number.

15 **CHAIRMAN GRAHAM:** Okay. Mr. Friedman, did you  
16 have anything else to add on used and useful?

17 **MR. FRIEDMAN:** No. We made most of our  
18 argument other than to point out that the used and  
19 useful adjustment was made not just on that force main  
20 but on all of the force mains --

21 **CHAIRMAN GRAHAM:** Okay.

22 **MR. FRIEDMAN:** -- and other facilities.

23 **CHAIRMAN GRAHAM:** Commissioner Brown. I  
24 apologize.

25 **COMMISSIONER BROWN:** Thank you.



1 Mr. Sayler, you made some -- you said some  
2 numbers and you were talking a little softly and fast,  
3 and you were talking about Charlotte County's used and  
4 useful numbers in the case that you were involved in  
5 when you were discussing the used and useful issue and  
6 I&I. You went through a few different percentages, I  
7 believe.

8 **MS. SAYLER:** Yes, ma'am.

9 **COMMISSIONER BROWN:** Can you repeat those?

10 **MR. SAYLER:** Certainly. I even have a handout  
11 for the Charlotte County used and useful numbers.

12 **COMMISSIONER BROWN:** That would be even more  
13 helpful. If you just could pass that to the  
14 Commissioners and the parties.

15 **MR. SAYLER:** Certainly. But for the record,  
16 it's 31 percent for the Englewood capacity fees, master  
17 lift station about 19 percent, and the force main was  
18 9.5 percent.

19 **COMMISSIONER BROWN:** You're doing it again  
20 with the whispering.

21 **MR. SAYLER:** Sorry. Capacity fees, 31.5  
22 percent.

23 **COMMISSIONER BROWN:** Thank you.

24 **MR. SAYLER:** Lift station, about 19 percent.  
25 The force main was 9.47 percent.



1                   **COMMISSIONER BROWN:** Thanks.

2                   Thank you, Mr. Chairman.

3                   **MR. SAYLER:** I have a tendency to speak fast.

4                   **CHAIRMAN GRAHAM:** Okay. Ms. Vandiver, you  
5 have Issue 12?

6                   **MS. VANDIVER:** Yes, Commissioners. I have  
7 just a few comments. One is that I'd like to talk just  
8 very briefly on Issue 5 on the infiltration. I would  
9 like to point out just what's been said previously, but  
10 the adjusted numbers that the company provided were  
11 provided on November 23rd, which is almost six months  
12 after the original filing and well after the  
13 recommendation was filed. And while the staff is  
14 certain that those are probably in the ground, I don't  
15 think they've had sufficient time to fully investigate  
16 the accuracy of the numbers, and this is just way too  
17 late to be changing those numbers.

18                   I have another quick comment on Issue 13 on  
19 the bad debt expense. Similar issues in that some of  
20 the information that was provided yesterday is a little  
21 late, and I really think staff did a good job of trying  
22 to review all the different annual numbers that were  
23 provided, and there were a lot of anomalies. And to  
24 make an average, it is an estimate and it is an average,  
25 and I agree that staff's number is correct for bad debt



1 expense.

2 I do want to spend just another few minutes on  
3 salaries. That issue has been discussed. But the staff  
4 recommendation is for 1.2 FTEs to be included for  
5 operator salaries. And as Mr. Atkins, one of the  
6 customers, has commented, we certainly agree that that  
7 is probably too much operator salaries for this utility  
8 now. The utility no longer treats wastewater. It sends  
9 all the flows to the water -- Englewood Water District.  
10 We believe the utility has not considered other cost  
11 options to maintain the collection system, whether it  
12 was to send -- to contract with the county or the water  
13 district or even other operators. We also believe not  
14 only should the operator salaries be adjusted, but that  
15 the test year management salaries should be adjusted.  
16 We believe that the test year management probably was  
17 fairly high with all the work that was being done and  
18 that there should be less management required in the  
19 future.

20 We believe that it would be reasonable to cut  
21 the allocated management salaries in half and reduce the  
22 operator -- operation salaries to one-half FTE. I was  
23 not able to completely reconcile the staff's estimated  
24 salary expense, but I would recommend possibly a \$39,000  
25 reduction to the test year expense. Thank you.



1           **CHAIRMAN GRAHAM:** Staff, would you like to  
2 address OPC's position on Issue 12?

3           **MR. BUYS:** If the utility doesn't need those  
4 operators going forward to operate the system, staff  
5 doesn't have any problem with reducing the salary  
6 expense. I believe the company would be the one more  
7 appropriate to address the number of employees they need  
8 and whether or not they're -- they need less management  
9 to manage the company.

10          **CHAIRMAN GRAHAM:** I was just giving you the  
11 opportunity. It's okay to say no.

12          **MR. BUYS:** If that's what -- if that's the  
13 appropriate cost, staff doesn't have any problem with  
14 reducing those salaries further.

15          **CHAIRMAN GRAHAM:** Mr. Friedman.

16          **MR. FRIEDMAN:** Commissioners, Marty Friedman.  
17 I'm going to address the management part and I'm going  
18 to let Mr. Flynn address the on-the-ground technical  
19 people.

20                 It looks like what the staff wants to do is to  
21 take the allocations and only make it half for the  
22 corporate overhead allocations. Instead of a full one  
23 ERC, they want to make it a half. And, you know, as you  
24 know, the PSC has consistently allocated corporate  
25 overhead based upon ERCs and they haven't made



1 adjustments to make it half an ERC if it doesn't have a  
2 plant or two ERCs if it's got two plants. They've -- as  
3 a matter of fact, the utility used to make those kind of  
4 adjustments when -- before it went to the ERC. I don't  
5 remember if any of y'all were here, I'm sure that  
6 Commissioner Edgar was, that they had a different  
7 methodology. If it were water and sewer together, it  
8 was less than if it were water or sewer. And the  
9 Commission said that won't work, we want something  
10 consistent, and you went to what you consistently do,  
11 which is it's an ERC without regard to whether it treats  
12 its own water or wastewater. And obviously it has a  
13 repercussion because if this half comes away from them,  
14 it's got to go somewhere else. So if this comes out,  
15 where does it go? Who else is going to make up that  
16 revenue that's being lost by this arbitrarily saying we  
17 should only need half the overhead for this particular  
18 utility?

19 And, in fact, Tierra Verde is a pass-through  
20 utility, has been, it's been before this Commission many  
21 times, and nobody has ever suggested that this  
22 adjustment be made. And so I would -- from the  
23 management part, that's certainly inconsistent with  
24 anything this Commission has ever done regarding  
25 allocations of corporate overhead.



1           And I'm going to let Patrick deal with the  
2 technical folks on the ground.

3           **CHAIRMAN GRAHAM:** Mr. Flynn.

4           **MR. FLYNN:** Sir, the staff recommendation of  
5 1.2 FTEs worth of salary wage expense is consistent with  
6 the response I provided, and staff did a request, No.  
7 2.8. It identifies the fact that we reduced our  
8 staffing requirements from the existing to  
9 1.2 reflecting having the ability to operate and  
10 maintain our collection system on a going-forward basis  
11 with appropriate individuals to do that, reallocating  
12 our manpower resources to do that efficiently, and to  
13 assure that we can respond after hours or during the  
14 normal workday as issues arise in order to maintain  
15 service to the customer and also provide any -- and to  
16 limit any risk of sanitary sewer overflows or other  
17 types of emergencies. So essentially the 1.2 FTEs is  
18 consistent with the utility's perspective on what would  
19 be adequate staffing going forward. Thank you.

20           **CHAIRMAN GRAHAM:** Thank you.

21           Okay. Commissioners, I guess I have the first  
22 question, and this would be to staff, maybe to legal.  
23 So why was it that we did the rate case in '06, '07 and  
24 then Charlotte County did it in 2012, and then now we're  
25 doing it again? How does that happen?



1           **MS. BROWNLESS:** Well, Charlotte County passes  
2 a resolution and cedes jurisdiction back to the PSC, and  
3 that's exactly what they did.

4           **CHAIRMAN GRAHAM:** So they chose that -- they  
5 decided that they were going to handle the rate case for  
6 this utility or for all utilities, water utilities?

7           **MS. BROWNLESS:** All utilities, any regulated  
8 water and wastewater utility in Charlotte County.

9           **CHAIRMAN GRAHAM:** And so now they decided  
10 after one rate case that they want to send it back?

11           **MS. BROWNLESS:** That's my understanding, yes,  
12 sir.

13           **CHAIRMAN GRAHAM:** Okay. Is the county  
14 commissioner still here? Okay. I was going to ask him.

15           All right. I'm just trying to understand that  
16 because -- I should have asked him that question when he  
17 was at the podium.

18           All right. Let's start at the beginning with  
19 the quality of service issue, No. 1.

20           Commissioner Patronis.

21           **COMMISSIONER PATRONIS:** Being the rookie of  
22 the Commission, just for my education and maybe some of  
23 the members of the audience, the transfer of  
24 jurisdiction back and forth between Charlotte County and  
25 the Public Service Commission, can we just go ahead and



1 get just a five-second explanation of how that works and  
2 what -- what -- I mean, almost like a -- not necessarily  
3 a timeline but what it means when you transfer  
4 jurisdiction.

5 **MS. BROWNLESS:** Sure. Under Chapter 367 --  
6 when Chapter 367 was initially enacted, which was when I  
7 started doing public utility work back in 1980,  
8 Charlotte County retained jurisdiction to regulate its  
9 own water and wastewater utilities, and subsequent to  
10 that time it transferred jurisdiction to the PSC and it  
11 stayed with the PSC for a good while. And then your  
12 local government, your county government has to pass a  
13 resolution that says we'd like to have jurisdiction back  
14 from the PSC because they had already passed a previous  
15 resolution saying they wanted to grant it to the PSC.  
16 So then they passed a resolution saying they wanted to  
17 take jurisdiction back, and they, in fact, did that. So  
18 that would have been a resolution prepared and passed by  
19 each county, by all the people sitting on the county  
20 commission at that time.

21 They can pass another resolution and give  
22 jurisdiction back to the PSC. And when they do that,  
23 the PSC is required to keep jurisdiction. We're  
24 required now to keep jurisdiction for a minimum period  
25 of ten years because the -- Charlotte County is not able



1 to come back next year and say, okay, we want  
2 jurisdiction back.

3 And I can tell you that the reason that that  
4 happened was in the late '80s, early '90s you had a lot  
5 of ping-ponging and utilities became understandably  
6 upset about that as did customers because, you know,  
7 there was one body doing it today and then a different  
8 set of rules. Each county that maintains jurisdiction  
9 has the ability to adopt whatever method for setting  
10 rates that they deem appropriate. While we follow the  
11 NARUC system of accounts and established case law that's  
12 been developed since 1967 when the utilities were  
13 beginning to be regulated by the PSC, each county can  
14 adopt whatever method of regulation they deem  
15 appropriate. They don't have to follow NARUC or our  
16 previous rules or anything.

17 So what happened was there was a lot of --  
18 there was a lot of re-having to calculate, there was a  
19 lot of confusion that was created by different sets of  
20 rules being applied to the same utility, and that's why  
21 we have the provision in the statute now that says once  
22 a county gives jurisdiction back, it must stay with the  
23 Commission for ten years so you have some regulatory  
24 stability.

25 **COMMISSIONER PATRONIS:** Follow-up?



1           **CHAIRMAN GRAHAM:** Sure.

2           **COMMISSIONER PATRONIS:** So in circumstances  
3 where a local political subdivision or jurisdiction  
4 surrenders back to the Public Service Commission, what  
5 circumstances would encourage that type of surrendering  
6 of their jurisdiction?

7           **MS. BROWNLESS:** There is no requirement in the  
8 statute. It is purely discretionary with the county.

9           **CHAIRMAN GRAHAM:** They don't want to do a rate  
10 case.

11          **COMMISSIONER PATRONIS:** Thank you. That's  
12 kind of what I was wanting to understand.

13          **CHAIRMAN GRAHAM:** That was my last opportunity  
14 to do that.

15               Okay. Quality of service. I don't  
16 necessarily have a problem with the staff recommendation  
17 on that one, so I open it up to the Commissioners.  
18 Commissioners. Commissioner Brown.

19          **COMMISSIONER BROWN:** I heard from the  
20 customers, we've heard from the customers, we've seen  
21 them. There's a lot of letters, there's a lot of  
22 correspondence in the docket file. Under our statutes,  
23 though, it just doesn't meet the criteria for  
24 unsatisfactory. I got to tell you, I appreciate the  
25 concerns that were brought up today, but I think the



1 staff recommendation is on the money. I think it -- the  
2 utility has done what it was asked to do of DEP, it has  
3 been diligent, according to the staff recommendation and  
4 the correspondence in the file, in decommissioning the  
5 wastewater treatment plant, which probably should have  
6 happened years and years ago. But then with the  
7 transfer of jurisdiction to Charlotte County then back  
8 to the Commission it got muddled up. But to -- under  
9 our statutory guidelines of what is deemed satisfactory  
10 and unsatisfactory, I don't think that burden for  
11 unsatisfactory has been met, and I agree with the  
12 Chairman on this.

13 **CHAIRMAN GRAHAM:** Was that a motion?

14 **COMMISSIONER BROWN:** I'd like to hear from the  
15 other Commissioners before I make anything.

16 **CHAIRMAN GRAHAM:** I think they're satisfied.

17 **COMMISSIONER BROWN:** Move staff recommendation  
18 on Issue 1.

19 **COMMISSIONER EDGAR:** Second.

20 **CHAIRMAN GRAHAM:** It's been moved and  
21 seconded, staff recommendation on Issue No. 1. Any  
22 further discussion? Seeing none, all in favor, say aye.

23 (Vote taken.)

24 Any opposed? By your action, you've approved  
25 No. 1.



1 Issue No. 2, I don't have a problem with the  
2 staff recommendation on that issue. Commissioners.  
3 Commissioner Edgar.

4 **COMMISSIONER EDGAR:** Mr. Chairman, I can move  
5 approval on Issues 2 and 3 of the staff recommendation.

6 **CHAIRMAN GRAHAM:** We've moved Issues 2 and 3,  
7 staff recommendation. Any further discussion? It's  
8 been moved and seconded. All in favor, say aye.

9 (Vote taken.)

10 Any opposed? By your action, you've approved  
11 staff recommendation on Issue 2 and 3.

12 Okay. Issue 4. I don't have a problem with  
13 staff recommendation on Issue 4.

14 **COMMISSIONER EDGAR:** Move approval on Issue 4.

15 **CHAIRMAN GRAHAM:** It's been moved and  
16 seconded, staff recommendation on Issue 4.

17 Issue 5 may be the one. Commissioners,  
18 Issue 5.

19 **MR. SAYLER:** Mr. Chairman, I do have the  
20 handout that I also provided to engineering staff to  
21 take a look at as far as the calculation of the growth  
22 allowance, if you would like it.

23 **CHAIRMAN GRAHAM:** Okay. Staff, walk me  
24 through the 11.07 percent again.

25 **MS. WATTS:** Excuse me. I'm sorry. What did



1 you ask?

2 **CHAIRMAN GRAHAM:** On Issue 5, the used and  
3 useful.

4 **MS. WATTS:** Yes.

5 **CHAIRMAN GRAHAM:** The -- there was a  
6 correction that you said was going to make a difference  
7 of 11.07 percent.

8 **MS. WATTS:** If the Commission wants to  
9 recognize the additional feet of pipe that was provided  
10 by the utility, that would make the I&I go from  
11 26.07 percent to 11.07 percent.

12 **CHAIRMAN GRAHAM:** I remember. I wrote a note.  
13 I just wanted to remind myself what that was.

14 Have you guys seen the handout that Mr. Sayler  
15 has?

16 **MR. BALLINGER:** Yes, we have. What we have is  
17 a little problem with this case again. If you look  
18 strictly at historic -- this case has been a challenge  
19 all the way through.

20 The historic ERCs in this actually showed a  
21 flat or negative growth, but there is evidence that  
22 growth is picking up and that's where we came to. So  
23 from a Schedule F10 from the company's estimate, it came  
24 to 87 ERCs, which was what was used in our calculation.  
25 Mr. Sayler has a different take on that of looking at



1 actual ERCs.

2 The growth number is a discretionary number.  
3 Quite frankly, if you wanted to pull it out entirely and  
4 consider the prepaids and all that as your growth,  
5 that's possible too. So it doesn't make a huge impact.  
6 We can go one way or the other, either with staff's or  
7 with OPC's estimate of growth.

8 **CHAIRMAN GRAHAM:** Mr. Sayler, let's pass out  
9 your document. Walk us through it.

10 **MR. SAYLER:** And, Mr. Chairman, when you get  
11 that, I can walk you through our other handout and just  
12 kind of tie it all together, if that would be helpful.  
13 You would need to look at the F10 schedule in our  
14 handout on used and useful.

15 If you will look at on the newest handout line  
16 6A, which shows average --

17 **CHAIRMAN GRAHAM:** Hold on a second. Staff, do  
18 you have both these handouts? Okay. I'm sorry. Go  
19 ahead, Mr. Sayler.

20 **MR. SAYLER:** Certainly. If you look at 6A,  
21 average 12-month period customers, for staff  
22 recommendation they used 873 customers. OPC used  
23 1,482 ERCs. However, when Ms. Vandiver and I contacted  
24 staff a couple of days ago to ask them where they came  
25 up with this 873 number, they said it was a customer



1 count number and that it might could be 835 customers.

2 But the problem is used and useful growth allowance  
3 historically has been always calculated with ERCs.

4 Now if you look at line 6B for the staff, they  
5 came up with 87 customers per year growth rate. If you  
6 look at Schedule F10, at the top of the schedule under  
7 line 5 you see average growth through period, five-year  
8 period, 1,744. If you multiply 1,744 by 5 percent, the  
9 statutory growth rate, you get 87.

10 So while staff in this schedule used  
11 1,744 ERCs to calculate the 87 customer growth rate,  
12 they used the 12-month average historical period  
13 customers -- of customers, not ERCs. So you have a  
14 units issue. And when you mix units, whether it's  
15 metric and standard or ERCs and customers, you're going  
16 to come up with an incorrect calculation.

17 So once you get that calculation correct,  
18 whether you go with the 1,744 number or our number,  
19 which is 1,482, which is the test year number of ERCs,  
20 which we believe is the more appropriate one and is the  
21 methodology which the Commission used, as I understand,  
22 from the 2007 rate case. They used ERCs in that case.

23 Now when it comes to this adjustment, whether  
24 you use -- if you use staff's corrected ERC number or  
25 our number, honestly it doesn't move the needle on used



1 and useful much for the Englewood plant or for the  
2 master lift station. It does lower the used and useful  
3 for the force main down into the mid 60s when you  
4 correct it. However, as we submit and as even  
5 Mr. Ballinger from staff stated, they're using a novel  
6 approach for this. There's no precedent for it. They  
7 did not cite to any prior orders in this case. They did  
8 not even cite to the 2007 order for this. We believe  
9 their novel precedent does not follow the statutory  
10 formula because the statutory formula requires real  
11 flows or real projected future flows.

12 And we don't believe -- and staff even  
13 admitted there are no flows with the prepaid  
14 commitments, there are no flows with the guaranteed  
15 revenue because there are no customers burdening the  
16 system today. If those customers are, in fact,  
17 burdening the system or actually, say, two years from  
18 now growth comes to the Commission or comes to that  
19 area, the utility can come in for a rate case and ask  
20 for an adjustment to the used and useful allowance  
21 through a limited proceeding. But we believe that the  
22 right way for the customers is to follow the  
23 prescriptive statutory formula, not to follow a novel  
24 approach, and to take out the guaranteed revenue  
25 payments and the prepaid commitment, and that would



1 substantially benefit the customers. And, remember, the  
2 utility is still protected by the AF -- the allowance  
3 for funds prudently invested. So down the road when  
4 that customer growth comes, they can change the used and  
5 useful and also recoup some on their investment for  
6 that.

7 **CHAIRMAN GRAHAM:** Mr. Friedman, any comments  
8 before I go back to staff?

9 **MR. FRIEDMAN:** It would be particularly --  
10 although I think the staff did it right, to deal with  
11 Mr. Sayler's comments about just ignoring the guaranteed  
12 revenue and prepaid commitments, if you ignore them,  
13 then it's a double penalty to the utility because the  
14 capacity has been paid for. So if you include that in  
15 the total capacity but you don't take it out because  
16 it's being used because it's paid for, then they're  
17 getting a double penalty. And this is one -- this is a  
18 way of doing it. I don't think it's terribly novel. I  
19 mean, staff thinks it's novel. But, you know, putting  
20 used and useful on any pipes is novel, on any generator  
21 is novel. You don't have a rule -- you don't have a  
22 statute that tells you how to calculate used and useful  
23 on force mains and pipes and pumps and lift stations.  
24 You just do it and you did it. You know, whether it's  
25 right or wrong, you know, we gave you our argument about



1 what we think the statute says, which is it's required  
2 by DEP, it's 100 percent. The staff has said it was  
3 prudent to build that size of a pipe. What more do you  
4 want?

5 **MR. SAYLER:** Mr. Chairman, if --

6 **CHAIRMAN GRAHAM:** We're done.

7 Staff, on Issue No. 5, would you guys want to  
8 change your recommendation, are you happy, or what?

9 **MR. BALLINGER:** I'll let Melinda talk to  
10 specifics. It only -- if you agree with our calculation  
11 but you use the OPC growth number, it really only  
12 changes the used and useful on the force main. And  
13 we're good either way. I think it goes from -- the  
14 force main would go from 74.9 to 68.1 percent.

15 **CHAIRMAN GRAHAM:** Once again, what would you  
16 like to do?

17 **MR. BALLINGER:** We could go with OPC's growth  
18 rate.

19 **CHAIRMAN GRAHAM:** Okay. Commissioners.

20 **MR. SAYLER:** Mr. Chairman, one last thing, and  
21 it's super brief.

22 **CHAIRMAN GRAHAM:** Okay.

23 **MR. SAYLER:** If you find that this should be  
24 used and useful for these prepaid commitments and  
25 guaranteed revenues and you have a flow rate, then you



1 should impute revenues for that and reduce the revenue  
2 requirement for those future growth rates. I mean, it's  
3 a yin and a yang here. If you're going to add one here,  
4 you need to add it here. We believe the proper thing is  
5 to make the used and useful adjustment. But if you're  
6 going to leave in guaranteed revenues and prepaid  
7 commitments, you need to impute revenues to the bottom  
8 line for those customers and reduce the current  
9 customers' rates so they're not paying for those future  
10 customers that are represented by guaranteed revenues  
11 and prepaid commitments. Thank you.

12 **CHAIRMAN GRAHAM:** Did you ever hear the logic  
13 where you're already getting the things that you want,  
14 don't add more?

15 Mr. Friedman.

16 **MR. FRIEDMAN:** Nothing. I just think what  
17 Mr. Sayler said is just wrong. It's not something  
18 that -- you know, they make that argument all the time  
19 in rate cases. And, you know, they want you to include  
20 the revenue. Well, then we've got expenses to go along  
21 with the revenue. How do we -- you know, how do you do  
22 that? It's not just pure revenue. It's expenses too.  
23 And they make that argument and so far the Commission  
24 has not accepted it. Today is no different.

25 **CHAIRMAN GRAHAM:** Commissioners, we're on



1 Issue No. 5. Does someone want to move staff  
2 recommendation? Does someone want to move --

3 **COMMISSIONER EDGAR:** Five minutes,  
4 Mr. Chairman.

5 **CHAIRMAN GRAHAM:** Sure.

6 **COMMISSIONER EDGAR:** Thank you.

7 **CHAIRMAN GRAHAM:** We'll take a five-minute  
8 break. It's 3:35. We'll come back at 3:40.

9 (Recess taken.)

10 Okay. We will reconvene.

11 Commissioner Edgar.

12 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman,  
13 and thank you for the break. It's a lot of numbers and  
14 a lot of sheets and a lot of columns, and it was helpful  
15 to me to be able to take a moment and look at them a  
16 little more closely. So if I may, I'd like to ask staff  
17 a few questions to help me move through my thinking.

18 **CHAIRMAN GRAHAM:** Sure.

19 **COMMISSIONER EDGAR:** Thank you. On Issue 5.  
20 First off, the issue with the pipes, I do not find that  
21 compelling generally, unless somebody else does. I  
22 think that information should have been submitted timely  
23 and clearly. So -- but I do have -- would like staff to  
24 help me understand a little more with the used and  
25 useful calculation regarding the growth allowance and



1 what options there may be there justifiable to make some  
2 adjustments because I do think that that is a live issue  
3 that does allow some discretion to us as a Commission.  
4 And then also on the I&I, the infiltration.

5 **MR. BALLINGER:** Okay. I thought you said you  
6 were okay with the pipes, so that one wouldn't be  
7 addressed, but --

8 **COMMISSIONER EDGAR:** Okay. Well, let's go --  
9 let's start with the used and useful.

10 **MR. BALLINGER:** Okay. That's fine.

11 **COMMISSIONER EDGAR:** Thank you.

12 **MR. BALLINGER:** On the growth allowance, as I  
13 said earlier, this was a little bit of a novel approach.  
14 We've got doing it for a force main, plus we have  
15 prepaids and prior commitments to throw in there, and  
16 staff had a very lively discussion months ago about how  
17 to handle this and what to do about growth. And, quite  
18 frankly, an argument can be made to have no growth  
19 allowance added in addition to the prepaid and all that.  
20 That's a perfectly logical one to do. Staff was -- I  
21 don't want to say a bit conservative by adding growth  
22 into this because it is more traditional to add it.  
23 Quite frankly, I would be fine if you removed growth  
24 entirely. That would make it a little easier for you  
25 all with the debate going on with Public Counsel with



1 the concern with it. It's perfectly logical to staff as  
2 well. I think it's still an appropriate approach to  
3 this. If you did remove that entirely, the amount, the  
4 used and useful percentage for the force main would be  
5 the only one that would be affected by it. All the  
6 other ones, if you took it out, it still wouldn't do it.

7 The used and useful would go from 74 percent  
8 to 61.2 percent, and it would have roughly a \$51,000  
9 revenue requirement decrease. Roughly on a bill the  
10 current recommendation is \$81 for 2,000 gallon usage, go  
11 to \$78. So if that makes your job a little easier,  
12 staff would be fine with pulling that out entirely and  
13 it would be perfectly acceptable.

14 **COMMISSIONER EDGAR:** Okay. And what about the  
15 point -- thank you -- the point that OPC raised about an  
16 adjustment for excessive infiltration?

17 **MR. BALLINGER:** We think staff should stay  
18 with our calculation. It's -- again, it's consistent  
19 with the calculation that we did at the interim rates  
20 where the details were provided. The company did not  
21 provide any corrected date until a week before  
22 Thanksgiving I think we got it. So we would stay with  
23 our I&I of 26.07 percent.

24 **CHAIRMAN GRAHAM:** I'm sorry. Could you say  
25 that number again?



1           **MR. BALLINGER:** Yes. 26.07 percent, and  
2 that's carried out throughout the staff recommendation.

3           **CHAIRMAN GRAHAM:** Sure.

4           **COMMISSIONER EDGAR:** Mr. Sayler, can you speak  
5 to the conversation that I just had with Mr. Ballinger  
6 regarding the growth allowance from the perspective of  
7 the customers?

8           **MR. SAYLER:** I'm not quite sure. Are they  
9 removing line 6E, the growth allowance, from both the  
10 capacity, force main, and for the collection system, or  
11 is it just one?

12          **COMMISSIONER EDGAR:** Mr. Ballinger?

13          **MR. SAYLER:** Or are you just -- I mean, are  
14 you eliminating the growth allowance elsewhere? Here is  
15 one of the other issues with the growth allowance. Part  
16 of this growth allowance also includes those prepaid  
17 commitment flows. Part of the prepaid commitment flows  
18 already includes people like Cape Haze Resort that added  
19 200 and some odd ERCs or customers when they billed. So  
20 this prepaid commitment for those double counts, growth  
21 allowance, it also includes current customers. So  
22 that's why the prepaid commitments that staff has  
23 estimated is very, very faulty. So instead of trying to  
24 get into the weeds and explain why there's double  
25 counting between the growth allowance and the prepaid



1 commitment, I looked at the rule. And Mr. Friedman is  
2 right, there isn't a rule on this. So when there's no  
3 rule, you default to the statute, and the statute  
4 doesn't say prepaid commitments or guaranteed revenues.  
5 So in our recommended one we just pulled them both out.

6 So -- but getting back to your question,  
7 Commissioner, I'm not sure exactly what they're pulling  
8 out and how that affects the used and useful calculation  
9 because I think purchase capacity would actually have a  
10 used and useful adjustment if you take out the growth  
11 allowance.

12 **MR. BALLINGER:** And I have to agree with  
13 Mr. Sayler. We -- again, we're doing this on the thing  
14 here. We had done a previous one only on the force main  
15 because that's where the used and useful adjustment was  
16 done. We did not look at it back for the capacity as  
17 well, but it does affect that as well if you remove  
18 growth. That would take it down to 91 percent,  
19 91.4 percent for the purchase capacity. And we're doing  
20 it now for the lift station as well. So that \$51,000  
21 revenue decrease would get larger. The rate reduction  
22 would be greater. I'm just trying to tell you which  
23 direction it's --

24 **COMMISSIONER EDGAR:** Right. Yeah. Thank you.

25 **MR. BALLINGER:** I don't know the amount at



1 this juncture.

2 **COMMISSIONER EDGAR:** Nor did I ask, simply  
3 because I would not want a detailed, specific  
4 calculation done right there. As long as we all know  
5 basically what we're talking about, I think we can work  
6 with that conceptually at least for now, Mr. Sayler.

7 **MR. SAYLER:** And then when it comes to the  
8 prepaid commitments, how much of those prepaid  
9 commitments are actually current customers? I don't  
10 know how to determine that because I know Mr. Gillaspie  
11 at Cape Haze, they prepaid 200,000. There's been a lot  
12 of prepaid commitment. Some of those customers have  
13 come online and some of those customers, from  
14 discussions with -- some of those future customers may  
15 come online much later, so I don't know. So to get an  
16 accurate prepaid commitment number is very dicey, and  
17 that's why I still would agree -- believe that  
18 reasonable growth with taking out --

19 **COMMISSIONER EDGAR:** Mr. Sayler, I'm sorry,  
20 but it is very unclear to me the more you talk what it  
21 is you're asking for.

22 **MR. SAYLER:** What I'm asking for is what we  
23 recommended on our spreadsheet which we provided, that  
24 you keep the growth allowance, whether you calculate it  
25 the way we do or staff does, and remove guaranteed



1 revenue payments and prepaid commitments.

2 **COMMISSIONER EDGAR:** But you just said that  
3 it's dicey to calculate the prepaid commitments.

4 **MR. SAYLER:** Yes. So calculate them as zero  
5 and then you don't have to -- it's no longer dicey. You  
6 take it out, it's zero, and it makes the equation go  
7 much smoother. Yes, I understand. This is -- makes my  
8 head explode, too.

9 **COMMISSIONER EDGAR:** I yield.

10 **CHAIRMAN GRAHAM:** Okay. Do we want to skip  
11 over Issue 5? I think we need to fix that before we  
12 continue on.

13 **COMMISSIONER EDGAR:** Mr. Chairman, we do want  
14 to fix Issue 5 in my opinion. I am just still unclear  
15 as to how to accomplish that. And I know everybody is  
16 trying to be helpful. It has been a long day here for  
17 most of us.

18 Mr. Ballinger.

19 **MR. BALLINGER:** If it'll help, we've got the  
20 used and useful calculations for all three components  
21 that are discussed in Issue 5. All of them would reduce  
22 the revenue requirements that staff has recommended  
23 originally.

24 The purchase capacity used and useful would go  
25 from over 100 percent originally calculated to



1 91.4 percent. That's if you remove growth entirely.  
2 For the force main the number would go from 74.9 percent  
3 to 61.2 percent. That component alone is worth about  
4 \$51,000 in revenue requirement reduction. That one I  
5 know. I know the number on that one.

6 For the master lift station, it would go from  
7 again over 100 percent used and useful to 93 percent  
8 used and useful, again lowering the revenue  
9 requirements.

10 **COMMISSIONER EDGAR:** So from over 100 to  
11 approximately --

12 **MR. BALLINGER:** 93 percent.

13 **COMMISSIONER EDGAR:** And those percentages  
14 that you've given, and an approximate is good enough, I  
15 think, at this point, recognizing that you would have  
16 the authority to make the exact calculations at the  
17 appropriate time, that would be addressing the purchase  
18 capacity, the force main, and the master lift by  
19 removing the growth allowance completely.

20 **MR. BALLINGER:** Correct.

21 **COMMISSIONER EDGAR:** As a way to recalculate  
22 the used and useful portion of the revenue requirement.

23 **MR. BALLINGER:** Correct.

24 **COMMISSIONER EDGAR:** Okay. All right. Thank  
25 you.



1 Mr. Friedman and team.

2 **MR. HOY:** Thank you. One point to consider is  
3 that the flow that's used for the used and useful  
4 calculations is current flow. And the occupancy there  
5 is very seasonal, so that we have to take into account  
6 and we have to have the capacity available in the event  
7 that the occupancy changes, if people decide to move  
8 full-time, if they decide to be there more often. So  
9 it's really part-time capacity that's being used for  
10 what could eventually be longer term usage. But we have  
11 to have it available, so it's being saved for whatever  
12 use is needed by existing customers.

13 **CHAIRMAN GRAHAM:** Sort of like peak capacity.

14 **COMMISSIONER EDGAR:** Could I ask staff to  
15 speak to that?

16 **MR. BALLINGER:** I'm sorry. I was talking to  
17 the accountant when he said --

18 **COMMISSIONER EDGAR:** That's okay.

19 **MR. BALLINGER:** What's the question?

20 **COMMISSIONER EDGAR:** The question is about  
21 capacity -- capacity availability basically.

22 **MR. HOY:** Right. The capacity that's being  
23 used today for the existing customers is seasonal usage.  
24 So to the extent that current customers decide to occupy  
25 the units more often, we have an obligation to provide



1 that capacity. It's being held for them to be used  
2 whenever they need it.

3 **MR. BALLINGER:** If I understand it, I've not  
4 made any adjustment to any of the prepaids or existing  
5 customers. All I've taken out is the growth factor of  
6 future customers coming. I recognize this does not get  
7 to fully 100 percent. I also recognize that this is the  
8 only source of treatment that the customers have. So it  
9 is -- we're trying to find that balance.

10 **COMMISSIONER EDGAR:** Absolutely. Thank you.

11 Thank you, Mr. Chairman.

12 **CHAIRMAN GRAHAM:** Commissioner Brown.

13 **COMMISSIONER BROWN:** And just to follow up,  
14 Mr. Ballinger, to that question, the utility is not  
15 precluded from coming in at a later date, though, asking  
16 for an increased used and useful percentage based on --  
17 right -- based on the growth rate?

18 **MR. BALLINGER:** Correct. Correct.

19 **COMMISSIONER BROWN:** So, Commissioners --

20 **CHAIRMAN GRAHAM:** Sure.

21 **COMMISSIONER BROWN:** -- I'm prepared to make a  
22 motion on Issue 5.

23 Okay. I would move to approve the used and  
24 useful percentage of the purchased wastewater treatment  
25 capacity to the level of 91.4 percent, the



1 interconnection force main to the level of 61.2 percent,  
2 to the primary master lift station to the level of  
3 93 percent, and any corresponding amounts associated  
4 therewith will be administered by staff.

5 **COMMISSIONER PATRONIS:** Second.

6 **CHAIRMAN GRAHAM:** Mr. Buys.

7 **MR. BUYS:** Yes, Commissioner. There would  
8 also be changes ultimately to the rate base number and a  
9 slight change to the rate of return because you're  
10 changing the plant amount in the subsequent --

11 **COMMISSIONER BROWN:** So any other issues that  
12 are affected by this decision will be administratively  
13 handled accordingly by staff.

14 **MR. BUYS:** Yes, Commissioner.

15 **COMMISSIONER BROWN:** That's in the motion,  
16 too.

17 **CHAIRMAN GRAHAM:** Yeah. I think normally when  
18 we conclude these, we're going to say any other fallout  
19 issues will be administratively handled by staff.

20 Okay. There's a motion on the floor and it's  
21 been duly seconded. Is there any further discussion?  
22 Commissioner Edgar.

23 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman,  
24 and thank you, Commissioner Brown, for getting us to  
25 that point. Just the comment again that my



1 understanding is that with this direction that it is  
2 removing the growth allowance that was previously  
3 recommended by staff and then the calculations would  
4 fall out from there.

5 **MR. BALLINGER:** Yes.

6 **COMMISSIONER EDGAR:** Thank you.

7 **CHAIRMAN GRAHAM:** Any other discussion?

8 Seeing none, all in favor, say aye.

9 (Vote taken.)

10 Any opposed? By your action, you've approved  
11 the Brown motion.

12 Okay. So we have Issues 1 through 5 taken  
13 care of. Now we have Issues 6 through 25.

14 Commissioner Edgar.

15 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman.

16 If you would like to consider, I would move, excuse me,  
17 approval of the staff recommendation on Issues 6 through  
18 11, with the understanding that any calculations that  
19 would need to be made in keeping with our decision on  
20 Issue 5 would be directed to staff to do so.

21 **COMMISSIONER PATRONIS:** Second.

22 **CHAIRMAN GRAHAM:** It's been moved and  
23 seconded, staff recommendations on Issues 6 through 11.  
24 Is there any further discussion on that motion? Seeing  
25 none, all in favor, say aye.



1 (Vote taken.)

2 Those opposed? By your actions, you've  
3 approved the staff recommendation on those issues.

4 So now we are down through 11. We have Issues  
5 12 through 25.

6 **COMMISSIONER EDGAR:** If I may, Mr. Chair. I'm  
7 sorry.

8 **CHAIRMAN GRAHAM:** Sure.

9 **COMMISSIONER EDGAR:** Okay. Thank you. I  
10 would like to ask OPC and the utility, and the order  
11 doesn't matter to me, I leave that to you, but to speak  
12 briefly and concisely to the points they have raised on  
13 Issue 12, salaries and wages.

14 **CHAIRMAN GRAHAM:** OPC.

15 **MS. VANDIVER:** Yes, Commissioners. On  
16 salaries we believe that the 1.2 FTE is an overestimate.  
17 It should be reduced to a half of an FTE. And we also  
18 recommended management allocations be reduced in half.

19 **CHAIRMAN GRAHAM:** Mr. Friedman.

20 **MR. FRIEDMAN:** I believe I did already address  
21 the problems with doing what Ms. Vandiver suggested we  
22 do, and then I think Jared is dealing with salaries.  
23 Yeah. Mr. Deason will address the salaries issue.

24 **MR. DEASON:** Yes. Just to briefly -- what I  
25 said before, I think it's appropriate to allow all of



1 our employees to have our annual cost of living  
2 adjustment counted, not just for operators.

3 **COMMISSIONER EDGAR:** Okay. Could you speak to  
4 the request by OPC to reduce the FTE allocation by  
5 1.2 and also the 50 percent reduction for management?

6 **MR. FRIEDMAN:** I'll deal with the management  
7 part and let Mr. Flynn deal with the other. As I  
8 mentioned before, you know, that's an allocation  
9 calculation that this Commission has consistently done  
10 on a per ERC basis, and you've never treated an ERC  
11 differently just because it was a utility without a  
12 plant any more than you've done if the utility had two  
13 plants instead of one.

14 And then as I mentioned earlier, what you have  
15 is you've got a half an ERC that's unallocated to this  
16 utility. That half an ERC has got to be reallocated to  
17 everybody else. It's just -- you just don't lose it.  
18 It's got to be allocated. And there's just no  
19 precedence for doing this. And if you do this, I think  
20 you're just opening up Pandora's box. So I don't think  
21 any of the arbitrary allocations are appropriate. And  
22 Patrick can deal with the actual FTE.

23 **MR. FLYNN:** The issue of reducing the FTE  
24 count was addressed by staff in the staff data request.  
25 We responded to it. We agree with the 1.2 FTE level of



1 staffing that was identified in the staff rec.

2 **COMMISSIONER EDGAR:** Mr. Chairman, I'm  
3 prepared to make a motion whenever the further  
4 discussion is at that point.

5 **CHAIRMAN GRAHAM:** Personally I agree with  
6 staff with the 1.2, but I'm open to whatever the  
7 Commissioners want to do.

8 Commissioner Brown.

9 **COMMISSIONER BROWN:** Thank you. And, Patrick,  
10 if you could follow up with us on what the duties and  
11 roles of that 1.2 is going to actually carry out. So  
12 the operator, what are his functions or her functions  
13 going to be?

14 **MR. FLYNN:** The individual is responsible for  
15 the collection systems, operation, maintenance, and  
16 repair. That's essentially a 1 FTE level of  
17 performance. The .2 reflects the use of one part-time  
18 individual one day a week to support that full-time  
19 individual for projects or tasks that are more than what  
20 one person can do individually.

21 **COMMISSIONER BROWN:** So that's the .2. And  
22 how many hours is that then?

23 **MR. FLYNN:** .2 is one day a week, eight hours.

24 **COMMISSIONER BROWN:** Is it an 8-hour workday?

25 **MR. FLYNN:** 8-hour workday.



1           **COMMISSIONER BROWN:** Okay.

2           **MR. FLYNN:** Right. So for a given project  
3 that might require two people to work at a lift station  
4 on a project, there would be adequate resources  
5 available to accomplish that. The alternative would be  
6 to utilize outside contracting services to accomplish  
7 the same task.

8           **COMMISSIONER BROWN:** Well, this utility seems  
9 to utilize a lot of outside contract services, so I was  
10 just trying to find out if the accounting functions are  
11 included in that 1.2 because -- no.

12          **MR. FLYNN:** No. The response I had specified  
13 the individuals who currently are utilized for the plant  
14 operation and collection system operation and what would  
15 be the case and the condition after the plant was  
16 decommissioned, and that was documentation that  
17 supported the 1.2 FTE count.

18          **COMMISSIONER BROWN:** Okay. Thank you. Thank  
19 you, Mr. Flynn.

20          **CHAIRMAN GRAHAM:** I will entertain a motion.  
21 Commissioner Edgar.

22          **COMMISSIONER EDGAR:** Mr. Chairman, I move  
23 approval of the staff recommendation as is on Issue 12.

24          **COMMISSIONER PATRONIS:** Second.

25          **CHAIRMAN GRAHAM:** It's been moved and



1 seconded, staff recommendation on Issue 12. All in  
2 favor, say aye.

3 (Vote taken.)

4 Any opposed? By your action, you've approved  
5 that motion.

6 Commissioner Brown.

7 **COMMISSIONER BROWN:** Mr. Chairman, I'm  
8 prepared to make a motion on Issue 13, which was  
9 discussed by both the parties earlier.

10 **CHAIRMAN GRAHAM:** Okay.

11 **COMMISSIONER BROWN:** If there's no discussion,  
12 I would move staff recommendation on Issue 13.

13 **COMMISSIONER EDGAR:** Second.

14 **CHAIRMAN GRAHAM:** It's been moved and  
15 seconded, staff recommendation on Issue 13. All in  
16 favor, say aye.

17 (Vote taken.)

18 Any opposed? By your action, you've approved  
19 that motion.

20 Staff, rate case expense on Issue No. 14, walk  
21 me through that \$4,000, please.

22 **MR. BUYS:** Yes, sir.

23 **CHAIRMAN GRAHAM:** That was the oversight of  
24 the tolls and what else?

25 **MR. BUYS:** Oh, the, excuse me, the accounting



1 fees.

2 **CHAIRMAN GRAHAM:** Turn your mike on or --

3 **MR. BUYS:** The accounting fees --

4 **CHAIRMAN GRAHAM:** Yes.

5 **MR. BUYS:** -- and the travel expenses. Yes.

6 In the information the utility provided to staff to  
7 support the accounting fees, there was an entry in one  
8 of the documents that indicated that there were  
9 16.5 hours that were billed or occurred on June 5th.  
10 Since the MFRs are filed on June 3rd, staff assumed that  
11 work probably did not occur. It was described as being  
12 reviewing MFRs. The company clarified that that entry  
13 was for the whole work week, which would have included  
14 hours. It could have been work prior to the filing of  
15 the MFRs with the Commission. So staff would acquiesce  
16 and say, yes, that would probably have occurred.

17 The in-house travel that they submitted --  
18 typically the company adds about \$1,000 in their MFRs  
19 for in-house travel with the rate case expense. In the  
20 past this has been associated with -- or staff has  
21 understood this to be associated with employees from  
22 Northbrook would travel down, and we routinely just  
23 remove that from the rate case expense. In this case,  
24 the company had submitted a one-page document listing  
25 all of the tolls and the meals and the mileage for the



1 Florida employees to travel to the interim agenda back  
2 in July and also the customer meeting, and it came up to  
3 about \$968. And we -- like Mr. Deason said, it was  
4 included in the back of a stack of a large number of  
5 other documents and we did not review that. We do not  
6 have an issue with them including that rate case --  
7 those expenses in the rate case expense as they have  
8 been incurred by the employees to conduct the rate case.

9 **CHAIRMAN GRAHAM:** So these are all legitimate  
10 expenses, and specifically, I guess, more the accounting  
11 one was just a misunderstanding by the staff?

12 **MR. BUYS:** Yes. It was -- in the review we  
13 did not include them.

14 **CHAIRMAN GRAHAM:** Okay. Commissioners.  
15 Commissioner Brown.

16 **COMMISSIONER BROWN:** Just a follow-up to one  
17 of the questions that we talked about during my briefing  
18 on this. The accounting consulting fees, we're seeing  
19 the utility and subsidiaries continue to utilize the  
20 accounting consulting even greater than they have in the  
21 past and it seems to be increased across the board. Is  
22 there -- can you elaborate on the reason why they're  
23 utilizing for rate case?

24 **MR. BUYS:** In our opinion, the utility is --  
25 they've relied more heavily on the accounting fees or



1 the accountant, accounting consultants. They no longer  
2 include the WSCBs or WSC salaries in the rate case  
3 expense, who a lot of those employees used to work on  
4 the rate cases. So I guess you could say some of that  
5 cost has been transferred over to the accounting  
6 consultants who are performing those tasks in place of  
7 the WSC employees that would have done that in the past.

8 **COMMISSIONER BROWN:** And \$77,000 seems quite  
9 high for the -- what was the last rate case amount for  
10 that category? Actually 73,000 if you disallowed the  
11 3,000, including WSC -- if they were utilizing the  
12 in-house folks.

13 **MR. BUYS:** In the utility's prior rate case  
14 before the Commission back in '07, those accounting  
15 consultant fees were \$10,000, and the WSC in-house fees  
16 were \$34,000, and the -- I guess other, they have office  
17 temp fees were \$2,200, for a total of \$46,711.

18 **COMMISSIONER BROWN:** So why the increase, the  
19 \$30,000 plus increase on that category? Is there  
20 something that's triggering that excessively high  
21 category for this rate case?

22 **MR. BUYS:** Other than the fact that they have  
23 to -- for this particular rate case the company went all  
24 the way back to 2005 to provide all of the different  
25 annual balances since 2005, and that usually is more



1 than what they would do. Usually it's a three- or  
2 four-year, maybe a two-year historical filing, let's  
3 say, where they include all the past annual balances.  
4 So they had to go all the way back to 2005, so there  
5 would have been more work associated with preparing  
6 these MFRs. The MFRs basically require the same amount  
7 of work to prepare whether they're a B class or an A  
8 class.

9 **COMMISSIONER BROWN:** I get it. I mean,  
10 \$46,000 -- OPC, do you have any comments on it? You  
11 didn't raise it in your issues, so.

12 **MS. VANDIVER:** Yes. We had reviewed it pretty  
13 carefully, and we had compared it to the prior cases and  
14 had noticed the same contrast that Mr. Buys did, that if  
15 you total up the amount that they paid in 2005 and in  
16 the county application, they don't have the WSC  
17 employees and so it's not dramatically more than what  
18 they had in the prior cases.

19 **COMMISSIONER BROWN:** You just said \$46,000  
20 roughly difference if you add them up.

21 **MS. VANDIVER:** Well, in the prior case I  
22 see -- let me see here. I see \$60,000 for WSC and the  
23 accounting consultant. We may be looking at different  
24 numbers. I don't know.

25 **COMMISSIONER BROWN:** The question is do you



1 think -- you didn't argue it.

2 **MS. VANDIVER:** I think it's certainly high,  
3 but there wasn't any WSC staff included, and because of  
4 the magnitude of the case as a whole we looked at other  
5 issues instead.

6 **COMMISSIONER BROWN:** Okay.

7 **CHAIRMAN GRAHAM:** So rate case expense. I  
8 think -- I heard a light go on over there.

9 **MR. HOY:** I'm sorry. I was going to add to  
10 that that in the last case we used a different mix of  
11 consultants, so our engineering consultant also did some  
12 accounting work for us. We had in-house staff that we  
13 don't have today. So in total, the total rate case  
14 expense in this case is actually less than it was in the  
15 2006 case.

16 **CHAIRMAN GRAHAM:** Commissioner Edgar.

17 **COMMISSIONER EDGAR:** If I may to staff in  
18 light of the discussion, the further discussion that  
19 we've had today on rate case expense, are there any  
20 further adjustments in addition to those that are in the  
21 written recommendation that you would recommend at this  
22 point?

23 **MR. BUYS:** No, Commissioner.

24 **COMMISSIONER EDGAR:** Mr. Chairman, I move  
25 staff rec.



1           **CHAIRMAN GRAHAM:** It's been moved and  
2 seconded, staff recommendation on Item No. 14. All in  
3 favor, say aye.

4           **COMMISSIONER BROWN:** Wait, Mr. Chairman.  
5 Before we go, I would like to make just something on the  
6 record before we vote.

7           **CHAIRMAN GRAHAM:** Sure.

8           **COMMISSIONER BROWN:** Under the additional rate  
9 case expense it references the generic docket, which was  
10 the Phoenix Project that actually none of you got to sit  
11 on the panel with me and Commissioner Brisé. I  
12 dissented in that case with regard to rate case expense,  
13 which was for the Deloitte & Touche -- Deloitte  
14 Consulting. But since the will of the Commission was to  
15 allow the recovery, I'm going to support the decision of  
16 the subsidiaries to recover their allocated portions as  
17 we move forward throughout these various -- so I will  
18 support it, but just for consistency purposes I wanted  
19 to make that known.

20           **CHAIRMAN GRAHAM:** All in favor, say aye.

21           (Vote taken.)

22           Any opposed? By your action, you've approved  
23 the motion.

24           Item No. 15. Issue No. 15.

25           Commissioner Edgar.



1           **COMMISSIONER EDGAR:** Mr. Chairman, I would be  
2           able to recommend or, excuse me, move that we approve  
3           staff recommendation on Issues 15 through 20 -- on 15  
4           and 16, 15 and 16.

5           **CHAIRMAN GRAHAM:** It's been moved and  
6           seconded, staff recommendation on Issue 15 and 16.

7           **COMMISSIONER EDGAR:** Thank you.

8           **CHAIRMAN GRAHAM:** Any further discussion? All  
9           in favor, say aye.

10          (Vote taken.)

11          Any opposed? By your action, you've approved  
12          the staff rec on those two issues.

13          Issue 17. Commissioner Brown.

14          **COMMISSIONER BROWN:** Mr. Chairman, Issue 17  
15          gives us a few options here for the rate structure and  
16          the rates for -- and looking at them and also in  
17          conjunction with Issue 21, the base facility charge  
18          is -- under Alternative 1 would reduce the bill, the  
19          customers' bill by \$5, which would also lower the  
20          guaranteed revenue charge under Issue 21 since it's  
21          based on the BFC. So I would support that Alternative 1  
22          since it saves customers \$5.

23          **CHAIRMAN GRAHAM:** Is that a motion?

24          **COMMISSIONER BROWN:** Mr. Chairman, I would  
25          move approval of Alternative 1 for the rate structure



1 listed in Issue 17.

2 **COMMISSIONER EDGAR:** Second.

3 **CHAIRMAN GRAHAM:** It's been moved and  
4 seconded, Alternative I for Issue 17. Any further  
5 discussion? Seeing none, all in favor, say aye.

6 (Vote taken.)

7 Any opposed? By your action, you've approved  
8 the motion.

9 **COMMISSIONER BROWN:** Mr. Chairman, I would  
10 move approval of Issues 18 through 20.

11 **COMMISSIONER EDGAR:** Second.

12 **CHAIRMAN GRAHAM:** It's been moved and  
13 seconded, Issues 18 through 20. Any further discussion?  
14 Seeing none, all in favor, say aye.

15 (Vote taken.)

16 Any opposed? By your actions, you've approved  
17 that motion.

18 Issue 21.

19 **COMMISSIONER BROWN:** Mr. Chairman, I would  
20 move -- there's going to be a modification based on the  
21 previous decision in Issue 17, so I would move approval  
22 of staff recommendation on Issue 21 with the change  
23 from -- to \$45.73, which is the BFC that we approved in  
24 Issue 17.

25 **CHAIRMAN GRAHAM:** So there's a motion and a



1 second on Issue 21. Is there any further discussion?

2 Seeing none, all in favor, say aye.

3 (Vote taken.)

4 Any opposed? By your action, you've approved  
5 that motion.

6 Issue 22. Commissioner Edgar.

7 **COMMISSIONER EDGAR:** Mr. Chairman, I would  
8 move approval of all remaining issues per the staff  
9 recommendation with, again, the understanding that we  
10 direct staff to make technical adjustments in keeping  
11 with our decisions today.

12 **CHAIRMAN GRAHAM:** There's been a motion on the  
13 floor and seconded for staff recommendations on Issues  
14 22 through 25, and also making sure that all issues, as  
15 we said before, have staff have administrative approval  
16 to make sure, for lack of a better term, the numbers all  
17 jive. Any further discussion? Seeing none, all in  
18 favor, say aye.

19 (Vote taken.)

20 Any opposed? By your actions, you've approved  
21 that motion.

22 Okay. Is there anything else in this item? I  
23 don't think so. Staff, thank you very much. I know  
24 this wasn't an easy rate case. OPC, thank you for your  
25 input. Utilities. Customers, thank you for your time



1 and patience. I know this is all confusing, but I do  
2 thank you for your input, and please all travel safe.  
3 We're adjourned.

4 (Agenda Conference adjourned at 4:21 p.m.)  
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1 STATE OF FLORIDA )  
2 : CERTIFICATE OF REPORTER  
3 COUNTY OF LEON )

4 I, LINDA BOLES, CRR, RPR, Official Commission  
5 Reporter, do hereby certify that the foregoing  
6 proceeding was heard at the time and place herein  
7 stated.

8 IT IS FURTHER CERTIFIED that I  
9 stenographically reported the said proceedings; that the  
10 same has been transcribed under my direct supervision;  
11 and that this transcript constitutes a true  
12 transcription of my notes of said proceedings.

13 I FURTHER CERTIFY that I am not a relative,  
14 employee, attorney or counsel of any of the parties, nor  
15 am I a relative or employee of any of the parties'  
16 attorney or counsel connected with the action, nor am I  
17 financially interested in the action.

18 DATED THIS 10th day of December, 2015.

19   
20

21 LINDA BOLES, CRR, RPR  
22 FPSC Official Hearings Reporter  
23 (850) 413-6734  
24  
25



Intervenor Speakers/Leroy's talking points

Presented 12/3/15 Agenda Conference, Item 19.



Leroy's talking points for 12/3/2015 in Tallahassee

The rate payers didn't create the problem. It wasn't a bad business or poor management decision by the rate payers that created the problem. It was poor management and bad business decisions made by the utility that created the problem when they expanded too fast and the mismanagement of the facility.

**IT DIDN'T HAVE TO SHUT DOWN.** However, they knowingly and willingly violated their license and their permit. Sandalhaven operated in violation of its permit by processing 10's of thousands gallons per day over permitted capacity and this caused major leakage and seepage in and around the facility including the grounds of Fiddler's Green Condo II. Mike Wilson, an employee of Utilities, Inc. and the plant operator's immediate supervisor, he told me it was sheet flow. He denied it was coming from the plant, which was proven by the DEP to be incorrect. After extensive research by the DEP AND THE FAILURE TO CORRECT DEFICIENCIES the utility was eventually ordered to be off line by Oct 1, 2015 by the DEP in a consent order issued October 9, 2014.

Very often the noxious odors coming from the facility were unbearable causing many owners in Fiddler's Green Condo II to close their windows and doors to get relief.

All these people are here to see how they are being represented by the PSC.

There was no attempt by the utility to work with the rate payers to solve any problems.

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 3 / 15  
Item No. 19



Look around this room. These people traveled more than 6 hours to attend this meeting and be able to have a voice as rate payers who are being asked to reward a business for making bad management and poor business decisions. When bad management and poor business decisions are made businesses fail? But because of a special statute that private franchised utilities operate under they cannot fail. What is wrong with this picture?

They offer investors a **fair rate of return in excess of 10%**. Incidentally, **who are the investors?**

When a business make bad management and/or poor business decisions and it fails, the investors lose. Why do the rate payers, who have no say in the operation of the (private) utility, have to guarantee any return to the investors? This should be the responsibility of the utility. However by using these exorbitant rates and under the special statute the utility will not be held accountable for making poor management and business decisions?

Most of the people being served by this utility are on fixed or subsidized incomes. Even collectively, they cannot afford to hire lawyers to meet with the PSC staff on a fairly regular basis to present their view such as the utility, with seemingly unlimited finances is able to do.



41-7  
Sept. 24, 2015

Tringali Center, Englewood, FL

RE: DOCKET NO. 150102-SU, DATED July 23, 2015

First: Let the stage be set for what is felt to be the root cause for this request.

The whole issue of asking for this outrageous rate increase is without a doubt an effort by Utilities, Inc. of Sandalhaven to get the ratepayers to pay for their bad management decisions and subsequent actions which includes the dismantling of the plant.

Fiddler's Green Condominium Association II is the closest in proximity to this plant and as a result has to bear the brunt of the noxious odors coming from the plant and the heavy truck traffic in and out of the facility. Damage to the roads has been an ongoing problem. It is like pulling teeth to get the utility to do the repairs. Fiddler's Green II has had to absorb the cost or pay a significant portion of them. The concrete on the access road has broken under the weight of trucks and needs to be replaced already. It has been addressed with the facility with no repairs made.

The straw that broke the "camel's back" is when water accumulated around our building 30, in 2013. When it was reported to the utility, Mike Wilson, who is the supervisor over the plant operator told us it was the result of "sheet flow", which is water running over the surface of the ground. He insisted that because he had the credentials he was qualified to make that statement. We disputed his statement.

It was apparent we were getting nowhere in reaching a solution to get rid of the water accumulating in the area adjacent to building 30, the dumpster enclosure and the swale along the berm which separates our property from the utilities. We contacted several county departments to see if they contributed in any manner to the problem. Representatives of the departments visited the



area and reviewed their operations. Any responsibility bourn by their departments was eliminated.

The county health department then contacted the Florida Department of Environmental Protection (FDEP) and asked that they become involved, which they did.

After FDEP did considerable research, including a review of plant records, test boring for soil samples, water samples as well as borings on the berm which surrounds a settling pond used by the facility. The result was the water that was accumulating in the area as well as that coming through the berms and up through the blacktop was not from "sheet Flow". It was due to saturation of the soil because of excess percolation. It was obvious that something was seriously wrong. The permit allowing percolating was authorized by FDEP for 45,000 gallons per day (GPD). Records showed they were percolating 79,000 GPD which is a violation of their permit.

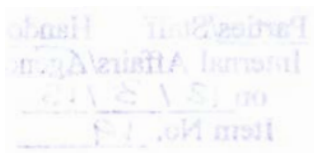
The result of the investigation performed by the FDEP was a consent order issued to Utilities, Inc. requiring the plant to be off line by October 1, 2015.

We have a complete file in our office covering the whole incident from the time one of our owners in building 30 reported he could not get to the dumpster near his building to take out his rubbish because of all the water that was on the ground surrounding the dumpster.

#### NOW TO THE July 23, 2015 PETITION

The basis of the request is to be able to support "operations on a going forward basis and an opportunity to earn a fair rate of return on the Utility's investment in used and useful property for the public use". Maybe they should have thought of that when service and conditions were ignored.

That taken in account, why should the ratepayers be required to pay anything to a firm for making bad business decisions, which is what this is all about. Many





of the ratepayers in this area are on fixed incomes. They do not get a fair rate of return, do they? When is the last time many of them got a rate of return of 10.2%? When ratepayers make bad decisions they suffer the consequences. Why has the utility incurred substantial additional operating costs and investment?

Page two of the request does not answer the poor management question.

How many customers cannot pay these preposterous rates? Do they care or are they more interested in the "fair rate of return" for their investors?

#### THE JULY 22, 2015 LETTER TO SANDALHAVEN CUSTOMERS

##### Par II (By way of background-)

Given the violation of the percolation GPD permits written by FDEP how can it be written that "The plant consistently met its permit limits for effluent water quality then, and continues to do so now"? Doesn't the percolation violation of, and the water coming onto the grounds at Fiddler's Green II, along with the stench it creates, have an impact on the "quality of effluent" being produced at the plant? The fact that they lost their sole reclaimed water customer is not the fault of the ratepayers. It again shows bad management and poor business decisions.

##### Par III (There was a significant cost-)

Decisions to build on "anticipated growth" was another decision made for money purposes that have been impacted by bad management and poor decisions. If that wasn't the reason then why is it necessary to ask for the increase to operate a plant that will not exist? The only equipment left will be the collection lines under the ground and several pumping stations. The main plant will have been dismantled. Service?



**Par IV (In a 2011 rate filing-)**

**It appears that they are saying the County is responsible for their overbuilding the lines and facility. Utilities Inc., knew that when they signed onto it. Bad business decision.**

**Par V (In 2014 it became clear-)**

**The Utility and FDEP reached an agreement, only after a number of complaints had gone unresolved and required the intervention of the FDEP. It was not the utility that made the decision to close the plant. It was a consent order (OGC FILE NO. 14-0536-08-DW) issued by the FDEP. The total costs for this project should be on the shoulders of the Utility and their investors who expect a 10.2 % rate of return.**

**To conclude:**

- Percolation violations (above the permitted 45,000 GPD, actually percolated estimated 79,000 GPD)**
- Treated effluent coming through the berms and up through the grounds and the blacktop, making living conditions in the area very difficult and unhealthy.**
- What is the utility paying the Englewood Water District to take the effluent produced by their collection lines? Why does it take such an enormous rate increase to maintain only the collection lines and pump stations?**
- There is no plant to maintain. There is no cost associated with trucking. The lines and the pumping stations are the only items that require maintenance and at what cost?**
- The maintenance of Fiddler's Green Boulevard to and including the access road by Townhouse 4 is a continuing problem.**



**-The odor from the plant is a problem that continues to be an obnoxious nuisance.**

**-It is evident that Utilities, Inc. is determined to have the rate payers pay for dismantling and decommissioning the plant. It is also evident that the rates are expected to provide a "fair rate of return" to Utilities, Inc., when the ratepayers had absolutely nothing to do with the operation of the Sandalhaven facility.**

**-The reason that a "fair rate of return" is not realized is due to bad management and poor business decisions by the ownership and management of the facility.**

**- Because Utilities Inc. is a regulated facility they should not be able to use this provision as a shelter for mismanagement and poor business decisions**

**-The ratepayers should be the primary concern in this hearing.**

**The Board of Directors**

**Leroy Furman, President**

**Fiddlers Green Condominium Association II**

**6800 Placida Road-Clubhouse**

**Englewood, FL 34224**

**Office: 941-697-9359**

**Fax: 941-697-6200**



Fiddler Green Condominium Association II, Inc.

Presented 12/3/15 Agenda Conference, Item 19.



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**

**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**

**941-697-9359**

**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 - SU

**Utilities, Inc. of Sandalhaven**

I am a resident of Fiddlers Green Condominium Association II INC., 6800 Placida Road, Englewood, FL 34224, which is adjacent to and served by Utilities, Inc. of Sandalhaven. We are directly affected by the way they provide poor service and poor management.

As you are aware, Sandalhaven drastically changed its mode of operation and significantly overbuilt its facilities in 2006 and 2007 in anticipation of growth that did not occur.

Now Sandalhaven wants our very small customer base to pay for oversized facilities that are not being used.

Whether Sandalhaven made good or bad decisions ten years ago is irrelevant. What is relevant is that Sandalhaven should be responsible for those decisions, good or bad. What is relevant is that we customers should not be expected to pay for a treatment plant that is not in use.

In a free market, Sandalhaven alone would bear the consequences for its decisions. In a regulated environment, the regulator substitutes for free market forces that do not allow a company to punish its customers for mistakes made by the company.

If Sandalhaven were granted the increase it has requested, our rates would be more than three times what they were in 2011 and 2012.

We should pay a fair price for our sewer services, but tripling our rates is not fair. We experienced a 40% increase in 2012, and an 18% interim increase this year. The combined effect is that our rates are now two-thirds higher than they were in 2011 and 2012. Enough is enough.

Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Name RAYMOND G. ADAMS

Signature Raymond G. Adams

6800 Placida Road, Unit # 295, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

**PETITION**

**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

Name

Karen Aldridge

Signature

[Signature]



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

**Florida Public Service Commission**

Docket No. 150102 - SU

**Utilities, Inc. of Sandalhaven**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

Name

Scott Aldridge

Signature

[Signature]

6800 Placida Road Unit #

, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

Parties/Staff   Handout  
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on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 – SU

**Utilities, Inc. of Sandalhaven**

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Thank you for your consideration.

JANE AMAN

Name

Jane Aman

Signature

6800 Placida Road, Unit # TH 2B, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Simon J. Aman

Name

  
Signature

6800 Placida Road, Unit # TH 2B, Englewood, FL 34224



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Name AUGUSTO ALIXA

- [Signature]

6800 Placida Rd Unit 162  
Englewood FL  
34224



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Name

Gay Alinea

Gay Alinea

6800 Placida Rd Unit <sup>#</sup> K2, Englewood FL  
34224

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LOUIS M. BALGERMAN  
Name

A.M. Bessner  
Signature

6800 Placida Road, Unit # TH 3B, Englewood, FL 34224



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Name Jane M. Barker

Signature



6800 Placida Road, Unit # 182 , Englewood, FL 34224



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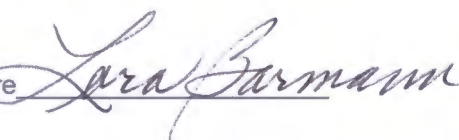
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Name LORA BARMANN

Signature



6800 Placida Road, Unit # 269, Englewood, FL 34224



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Name VIVIAN BEATTY

Signature Vivian Beatty



6800 Placida Road, Unit # 2001, Englewood, FL 34224



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Name STANLEY C. BAYLESS III

Signature



6800 Placida Road, Unit # 278  
, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Name STANLEY C. BAYLESS III

Signature



6800 Placida Road, Unit # 284  
Englewood, FL 34224



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Thank you for your consideration

Name SALLY J BAYLESS

Signature 

6800 Placida Road, Unit # 284  
Englewood, FL 34224



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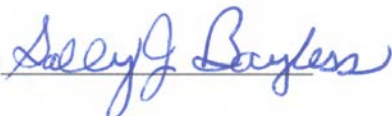
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Thank you for your consideration.

Sharon A. Beltz  
Name

Sharon A. Beltz  
Signature

6800 Placida Road, Unit # 149, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Sharon A. Beltz  
Name

Sharon A. Beltz  
Signature

6800 Placida Road, Unit # 153, Englewood, FL 34224



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Name

Sharon A. Beltz  
Signature

6800 Placida Road, Unit # 157, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

Parties/Staff   Handout  
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**Florida Public Service Commission**

Docket No. 150102 – SU

**Utilities, Inc. of Sandalhaven**

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Thank you for your consideration.

Sharon A. Beltz  
Name

Sharon A. Beltz  
Signature

6800 Placida Road, Unit # 281, Englewood, FL 34224



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Thank you for your consideration.

Tom L. Beltz  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 149, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Tom L. Beltz  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 153, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Tom L. Beltz  
Name

[Signature]  
Signature

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Tom Beltz

Name

[Signature]

Signature

6800 Placida Road, Unit # 281, Englewood, FL 34224



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Thank you for your consideration.

Name

BRENDA BEZENCER

Signature

Brenda Bymer

6800 Placida Road, Unit # 244, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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LISA BEZEMER

Name

[Signature]

Signature

6800 Placida Road, Unit # 294, Englewood, FL 34224



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Name PIETER BEZEMER.

Signature 

6800 Placida Road, Unit # 244, Englewood, FL 34224



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Name Jeff Biddie

Signature 

6800 Placida Road, Unit # 189, Englewood, FL 34224



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DONNA E. BLACKBURN  
Name

Donna E. Blackburn  
Signature

6800 Placida Road, Unit # 1020, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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STEPHEN W. BLACKBURN  
Name

SW Blackburn  
Signature

6800 Placida Road, Unit # 1020, Englewood, FL 34224



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JAMES L BLAKE  
Name

  
Signature

6800 Placida Road, Unit # 1003, Englewood, FL 34224



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Sandra M. Blake  
Name



Sandra M. Blake  
Signature

6800 Placida Road, Unit # 1003, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Name RICHARD BRAND

Signature Richard Brand

6800 Placida Road, Unit # 280, Englewood, FL 34224



FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.  
6800 PLACIDA ROAD, ENGLEWOOD FL 34224  
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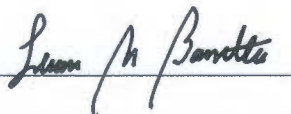
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Name LUANN BARRETTA

Signature 

6800 Placida Road, Unit # 255, Englewood, FL 34224



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**PETITION**

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Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 - SU

**Utilities, Inc. of Sandalhaven**

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Thank you for your consideration.

Name MARTIN BARNES

Signature Martin Barnes

6800 Placida Road, Unit # 255, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

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Thank you for your consideration.

Name DAVID BOOTHBY

Signature 

6800 Placida Road, Unit # 159, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

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Thank you for your consideration.

Name

GLORIA BOOTHBY

Signature

G. Boothby

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Name SANDRA L. BRAND

Signature Sandra L. Brand

6800 Placida Road, Unit # 280, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Doris T Brown  
Name

*Doris T Brown*  
Signature

6800 Placida Road, Unit # 271, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

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Thank you for your consideration.

Gerry Brooks  
Name

Gerry Brooks  
Signature

6800 Placida Road, Unit # 2002, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

Shirley Brooks  
Name

Shirley Brooks  
Signature

6800 Placida Road, Unit # 2002 Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

ROBERT BURKEY  
MANAGING MEMBER  
ROUNDTABLE REALTY 1010

  
Signature

6800 Placida Road, Unit # 1010, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Name Richard A. Cappucci

Signature Richard A. Cappucci

6800 Placida Road, Unit # 158, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name Jean B. Cappucci

Signature Jean B. Cappucci

6800 Placida Road, Unit # 158, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Name Frank A. Cerguel

Signature

Frank A. Cerguel



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name Jacqueline Cergoni

Signature Jacqueline Cergoni



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name: Samuel Andrew Chester  
Signature: 

6800 Placida Road, Unit #2010, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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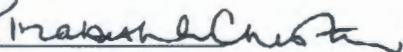
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Thank you for your consideration.

Name: Elizabeth Ann Chester

Signature



6800 Placida Road, Unit #2010, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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GEORGE CLARNER  
Name

George Clarnier  
Signature

6800 Placida Road, Unit # 180, Englewood, FL 34224

BLD #21



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

Eileen Collins  
Name  
Eileen Collins

Eileen Collins  
Signature

6800 Placida Road, Unit # 1007, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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HYB H COLIN S  
Name

Hyb H. Collins  
Signature

6800 Placida Road, Unit # 4007, Englewood, FL 34224



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Thank you for your consideration.

Name VIVIAN COLLINS

Signature Vivian Collins

6800 Placida Road, Unit # 1017, Englewood, FL 34224



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Internal Affairs/Agenda  
on 12/03/15  
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Thank you for your consideration.

Name ANTHONY J. CONTINO

Signature Anthony J. Contino

6800 Placida Road, Unit # 250, Englewood, FL 34224



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Thank you for your consideration.

Name LOIS A. CONTINO

Signature Lois Contino

6800 Placida Road, Unit # 250, Englewood, FL 34224



FIDDLER S GREEN CONDOMINIUM ASSOCIATION II, INC.  
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on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Helena G. Couto

Helena G. Couto

6800 Placida Road, Unit # 258, Englewood FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Parties/Staff    Handout  
Internal Affairs/Agenda  
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Name JOSEPH N. COULOMBE

Signature Joe Coulombe



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Name THERESA E. COULOMBE

Signature T. E. Coulombe



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LOIS CROHAN  
Name

Lois Cronan  
Signature

6800 Placida Road, Unit # 190, Englewood, FL 34224



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Thank you for your consideration.

Name Mark Christman

Signature Mark Christman

6800 Placida Road, Unit # 166, Englewood, FL 34224



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Name

Mindy Christman

Signature

Mindy Christman

6800 Placida Road, Unit # 144, Englewood, FL 34224



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Thank you for your consideration.

Carolyn B Cunningham  
Name

Carolyn B. Cunningham  
Signature

6800 Placida Road, Unit # 278, Englewood, FL 34224



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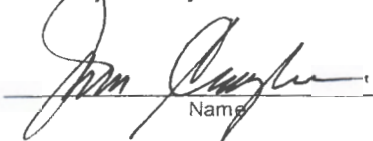
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Signature

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BARBARA DORNEY  
Name

Barbara Dorney  
Signature

6800 Placida Road, Unit # 180, Englewood, FL 34224



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Thank you for your consideration.

Lillian D. FESPERMAN  
Name

Lillian D. Fesperman  
Signature

6800 Placida Road, Unit # 2005, Englewood, FL 34224



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Thank you for your consideration.

NAVEEN FLAHERTY  
Name

Naveen Flaherty  
Signature

6800 Placida Road, Unit # 172, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Docket No. 150102 – SU

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~~STEVE~~ STEPHEN  
Name

Stephen Flaherty  
Signature

6800 Placida Road, Unit # 172, Englewood, FL 34224



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Thank you for your consideration.

N. Curtis Force, D.O.  
Name

  
Signature

6800 Placida Road, Unit # 1014, Englewood, FL 34224



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Ellen I. Force  
Name

Ellen I. Force  
Signature

6800 Placida Road, Unit # 1014, Englewood, FL 34224



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Thank you for your consideration.

Carolyn Furman  
Name

Carolyn Furman  
Signature

6800 Placida Road, Unit # TH4B Englewood, FL 34224



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Internal Affairs/Agenda  
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Thank you for your consideration.

Lenoy Furman  
Name

Lenoy Furman  
Signature

6800 Placida Road, Unit # TH4B, Englewood, FL 34224



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Thank you for your consideration.

Name Owen Gallagher

Signature Owen Gallagher

6800 Placida Road, Unit # 1019 , Englewood, FL 34224



ATT FAXED ON 10-21-15  
original copy

**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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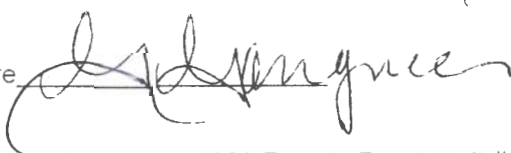
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Thank you for your consideration

Name Gina Gangnier

Signature 

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



ATT: FAXED ON  
10-21-15  
original  
copy

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Name Jess Gangnick

Signature Jess Gangnick

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



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Thank you for your consideration.

Sherrill A. Gaydash  
Name

SHERBIL A. GAYDASH  
Signature

6800 Placida Road, Unit # 264, Englewood, FL 34224



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Parties/Staff    Handout  
Internal Affairs/Agenda  
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Thank you for your consideration.

Name \_\_\_\_\_ Ann Gasparini \_\_\_\_\_

Signature \_\_\_\_\_

*A. Gasparini*

*23 Oct. 2015*

6800 Placida Road, Unit # 2012 \_\_\_\_\_, Englewood, FL 34224



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on 12 / 03 / 15  
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Name

EUGENE GENOVESE

Signature

Eugene Genovese

6800 Placida Road, Unit #

, Englewood, FL 34224



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Name Betty Genovese

Signature Betty Genovese



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Thank you for your consideration.

JANICE I. GERARD  
Name

Janice I. Gerard  
Signature

6800 Placida Road, Unit # 2009, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

HAROLD L. GERARD JR  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 2009, Englewood, FL 34224



FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.  
800 PLACIDA ROAD, ENGLEWOOD FL 34224  
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Thank you for your consideration

Name Marilyn Georgian

Signature

6800 Placida Road, Unit # 287, Englewood, FL 34224



FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.  
6800 PLACIDA ROAD, ENGLEWOOD FL 34224  
941-697-9359

PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

Florida Public Service Commission

Docket No. 150102 - SU

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Name

*Ronald Deryan*

Signature

6800 Placida Road, Unit # 287, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

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Internal Affairs/Agenda  
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Thank you for your consideration.

DALE GILLESPIE  
Name

*Dale Gillespie*  
Signature

6800 Placida Road, Unit # 193, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

Name Ron Gelhi

Signature Ron Gelhi

6800 Placida Road, Unit # 164, Englewood, FL 34224



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Internal Affairs Agenda  
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Item No. 19

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Thank you for your consideration.

Name

Helen Gillis

Signature

Helen Gillis

6800 Placida Road, Unit # 164, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name Bonnie A. Grubbaugh

Signature Bonnie A. Grubbaugh

6800 Placida Road, Unit # 176, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Parties/Staff    Handout  
Internal Affairs/Agenda  
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Name Robert A. Grubaugh

Signature 

6800 Placida Road, Unit # 176 , Englewood, FL 34224



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Parties/Staff   Handout  
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Thank you for your consideration

Name

Dale Guindon

Signature

Dale Guindon

6800 Placida Road, Unit # 1002, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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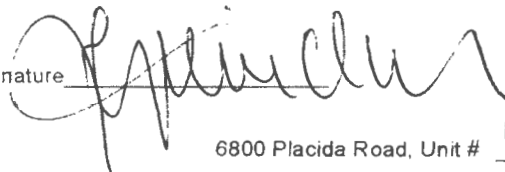
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Name

J. GUNDON

Signature



6800 Placida Road, Unit # 1002, Englewood, FL 34224



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Name

Walter N. Homan TTEE  
WALTER N. HOMAN Revocable Living Trust

Signature

6800 Placida Road, Unit # TH1C, Englewood, FL 34224



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Name Fritz Haack

Signature Fritz Haack

6800 Placida Road, Unit # 185, Englewood, FL 34224



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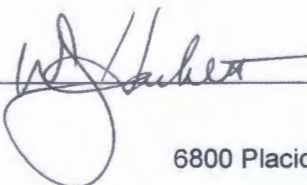
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Name William J HACKETT

Signature 

6800 Placida Road, Unit # 150, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name LEO HAMEL

Leo A Hamel  
Signature \_\_\_\_\_

6800 Placida Road, Unit # 174, Englewood, FL 34224



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Name JUDITH HAMEL

Signature Judith Hamel

6800 Placida Road, Unit # 174, Englewood, FL 34224



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Name BARBARA HAMIL

Signature 

6800 Placida Road, Unit # 174, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.  
6800 PLACIDA ROAD, ENGLEWOOD FL 34224**

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Thank you for your consideration.

Name CHARLES HERMAN

Signature Charles Herman



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12/03/15  
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Docket No. 150102 - SU

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Thank you for your consideration.

Name

Violet HERMAN

Signature

HERMAN

6800 Placida Road, Unit #

, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Internal Affairs/Agenda  
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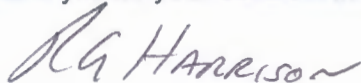
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Thank you for your consideration.



Name



Signature

6800 Placida Road, Unit # 251, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

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Thank you for your consideration.

Name Catherine Hazen

Signature Catherine Hazen

6800 Placida Road, Unit # 150 , Englewood, FL 34224



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Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

Name Sharon Holdgrafer

Signature Sharon Holdgrafer

6800 Placida Road, Unit # 142, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Internal Affairs/Agenda  
on 12/03/15  
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Name David Holdgrafer

Signature David Holdgrafer

6800 Placida Road, Unit # 142, Englewood, FL 34224



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Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Name STEPHANEE JACOBSEN

Signature Stephanee Jacobsen

6800 Placida Road, Unit # 252, Englewood, FL 34224



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Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

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Name Michael Jacobsen

Signature Michael Jacobsen

6800 Placida Road, Unit # 252, Englewood, FL 34224



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Internal Affairs/Agenda  
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Name MARY R. JANN'S

Signature Mary R Janna

6800 Placida Road, Unit # 266, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Internal Affairs/Agenda  
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Item No. 19

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Name

William P Jungwirth

Signature

[Handwritten Signature]

6800 Placida Road, Unit # 183, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Internal Affairs/Agenda  
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Name MARY CANDACE KEYSER

Signature Mary Candace Keyser

6800 Placida Road, Unit # 1015, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Internal Affairs/Agenda  
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Name MARK A. KEYSER

Signature Mark A. Keyser

6800 Placida Road, Unit # 1015, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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JOAN KING  
Name

Joan King  
Signature

6800 Placida Road, Unit # 277, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name John Kipp

Signature John Kipp

6800 Placida Road, Unit # TH1A, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Fred King  
Name

[Signature]  
Signature

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



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RONALD KOSTUICK  
Name

Ronald Kostuick  
Signature

6800 Placida Road, Unit # 193, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

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on 12/03/15  
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Docket No. 150102 - SU

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Thank you for your consideration.

Name Harmon M. Latty

Signature Harmon M. Latty



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Name William H. Leary

Signature William H. Leary



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Thank you for your consideration.

PHILIP LEAHY

Name

Philip Leahy

Signature

6800 Placida Road, Unit # 246, Englewood, FL 34224



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Thank you for your consideration.

Jacqueline I. Leahy  
Name

Jacqueline I. Leahy  
Signature

6800 Placida Road, Unit # 246, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

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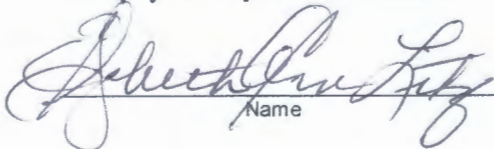
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Thank you for your consideration.

  
Name

  
Signature

6800 Placida Road, Unit # 163 Englewood, FL 34224



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JOAN MALLOY  
Name

Joan Malloy  
Signature

6800 Placida Road, Unit # TH-4A, Englewood, FL 34224



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Name Ralph Maupai

Signature



6800 Placida Road, Unit # 156, Englewood, FL 34224



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Name MARY ANN MCGINTY

Signature MaryAnn McGinty

6800 Placida Road, Unit # TH1E, Englewood, FL 34224



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Name Audrey A. McGinerty

Signature Audrey A. McGinerty  
6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



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Name EUGENE J. MCGINNITY

Signature Eugene J. McGinnity

6800 Placida Road, Unit #

, Englewood, FL 34224



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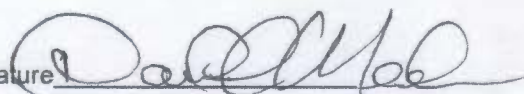
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Name DAVID MEER

Signature 

6800 Placida Road, Unit # 1009, Englewood, FL 34224



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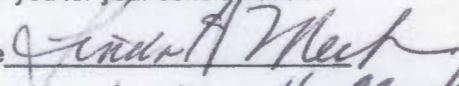
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Name   
LINDA H. Meeker

Signature \_\_\_\_\_



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Name Sally Meeker

Signature Sally Meeker

6800 Placida Road, Unit # 1009, Englewood, FL 34224



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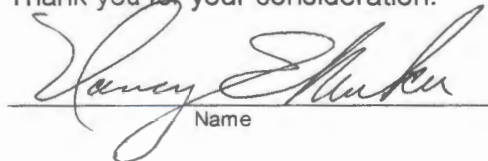
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Name

  
Signature

6800 Placida Road, Unit # 1009, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda    **Florida Public Service Commission**  
on 12/03/15  
Item No. 19

Docket No. 150102 - SU

**Utilities, Inc. of Sandalhaven**

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Thank you for your consideration.

Name Jane Milaschew

Signature Jane J Milaschew

6800 Placida Road, Unit # 270, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

Renate Merten  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 171, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**200 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

Sandra A. Myclench  
Name

11-5-15  
Signature

6800 Placida Road, Unit # 1016, Englewood, FL 34224



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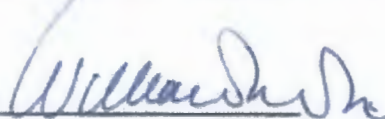
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Name William Milaschewski

Signature 

6800 Placida Road, Unit # 270, Englewood, FL 34224



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Thank you for your consideration.

Name Ethel Miller Ethel Miller

Signature Ethel Miller

6800 Placida Road, Unit # 147, Englewood, FL 34224



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Name John Miller

Signature John Miller

6800 Placida Road, Unit # 147, Englewood, FL 34224



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Thank you for your consideration.

Name Sally Mingerink

Signature Sally Mingerink

(over)



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Thank you for your consideration.

Name Kenneth Mingshink

Signature Kenneth Mingshink

00 SR 



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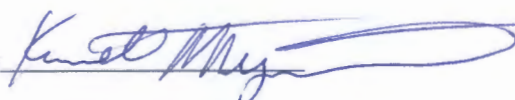
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Name Fenworth Mingerink

Signature 

over →



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Name Kenneth Mizerink

Signature Kenneth Mizerink

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Name RODERICK M LEM

Signature [Signature]

6800 Placida Road, Unit # 2014, Englewood, FL 34224



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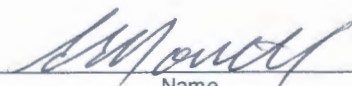
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Name

  
Signature

6800 Placida Road, Unit # 1410, Englewood, FL 34224



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Name

  
Signature

6800 Placida Road, Unit # TH1-D, Englewood, FL 34224



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BRIAN NEWBIGIN  
Name

B. Newbigin  
Signature

6800 Placida Road, Unit # 191, Englewood, FL 34224



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ELSIE NEWBISING  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 191, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12/23/15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 – SU

**Utilities, Inc. of Sandalhaven**

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Clu M. Nordstrom  
Name

Clu M. Nordstrom  
Signature

6800 Placida Road, Unit # TH4E, Englewood, FL 34224



Florida Public Service Commission  
Director, Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0870

August 5, 2015

Dear Sir,

I am writing to the commission reference Docket No. 150102-SU, Utilities, Inc. of Sandalhaven.

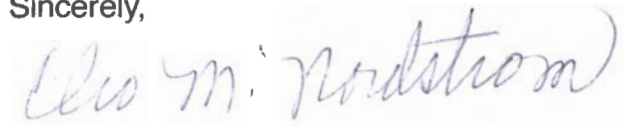
After reviewing the requested rate increase of Utilites Inc. of Sandalhaven the increase submitted to the Commission is grossly excessive. The increase proposed is from \$29.34 to \$70.12 which is a increase of \$40.78 on the base facility charge. That is a increase of 138%. Never mind that they also requested an increase per thousand gallon from \$6.59 to \$15.75.

The Commissions approved interim rate increases amounted to an 18% which still seems substantial, however I realize Utilities Inc. still has to make a profit.

Our Fiddlers Green Condo Association had to contact the Charlotte County Board of Health and have Utilites Inc. cited for percolating into the ground nearly double their permitted amount. This resulted in effluent from the plant on our streets and ditches. They have not been a good neighbor and in fact tried to mislead our board that they were in compliance. They were cited by the EPA for non-compliance.

Giving this rate increase would be rewarding them for not adhering to their permit.

Sincerely,

A handwritten signature in blue ink that reads "Cleo M. Nordstrom". The signature is written in a cursive, flowing style.

Cleo M. Nordstrom  
Fiddlers Green Condo Assoc. !!  
Unit TH4E  
6800 Placida Rd.  
Englewood, FL 34224  
Tel. # 303-947-0276



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Name Armando Novelli

Signature Armando Novelli

6800 Placida Road, Unit # 30, Englewood, FL 34224



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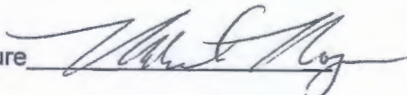
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Thank you for your consideration.

Name Mark Noyes

Signature 

6800 Placida Road, Unit # 174, Englewood, FL 34224



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Thank you for your consideration.

Perles, Silvia  
Name

S. Perles  
Signature

6800 Placida Road, Unit # 2027, Englewood, FL 34224



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Thank you for your consideration.

Name Dorothy O'Connor

Signature Dorothy O'Connor

6800 Placida Road, Unit # 2014, Englewood, FL 34224



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Thank you for your consideration.

Werner + Silvia Perless  
Name

Werner Perless Silvia Perless  
Signature

6800 Placida Road, Unit # 2021, Englewood, FL 34224



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Name NANCY PELCZARSKI

Signature Nancy Pelczarski

6800 Placida Road, Unit #184, Englewood, FL 34224



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Name FRANCIS PELCZARSKI

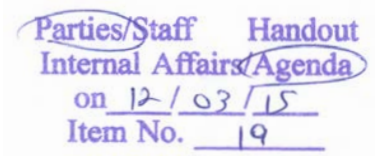
Signature Francis Pelczarski

6800 Placida Road, Unit # 184, Englewood, FL 34224



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Name GAIL PHINNEY

Signature Gail Phinney  
6800 Placida Road, Unit # 55, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name GAIL PHINNEY

Signature Gail Phinney  
6800 Placida Road, Unit # 854, Englewood, FL 34224



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Name RICHARD PHINNEY

Signature R Phinney  
6800 Placida Road, Unit # 155, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name RICHARD PHINNEY

Signature R Phinney  
6800 Placida Road, Unit # 254, Englewood, FL 34224



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**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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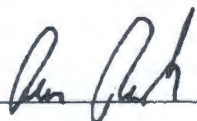
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Thank you for your consideration.

Name RON REDER

Signature 

6800 Placida Road, Unit # 146 , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name PAT REDER

Signature Pat Reder

6800 Placida Road, Unit # 146 , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

**PETITION**

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 – SU

**Utilities, Inc. of Sandalhaven**

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If Sandalhaven were granted the increase it has requested, our rates would be more than three times what they were in 2011 and 2012.

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Charles J. Resler  
Name

CHARLES J. RESLER  
Signature

6800 Placida Road, Unit # 259, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

JANE D. RESLER  
Name

Jane Resler  
Signature

6800 Placida Road, Unit # 259, Englewood, FL 34224



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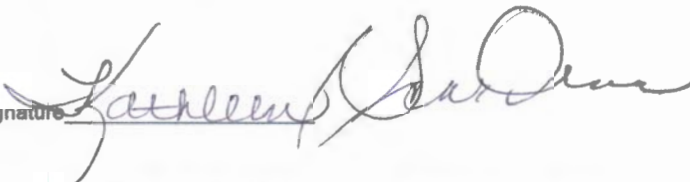
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Thank you for your consideration.

Name KATHLEEN SCARDINA

Signature 

6800 Placida Road, Unit # , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Internal Affairs/Agenda  
on 12 / 03 / 15  
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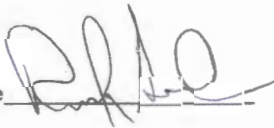
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Thank you for your consideration.

Name

Rich Scardina

Signature



6800 Placida Road, Unit #

, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Name Jeanne Schleiffarth, owner

Signature Jeanne M. Schleiffarth

6800 Placida Road, Unit # 148 , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

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Thank you for your consideration.

Heinrich Schmidt  
Name

[Signature]  
Signature

6800 Placida Road, Unit # 171, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

DONNA SCHOENHERR  
Name

Donna Schoen  
Signature

6800 Placida Road, Unit # 2020, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

WAYNE SCHOENHERR  
Name

  
Signature

6800 Placida Road, Unit # 2020, Englewood, FL 34224



F L R'S RE N DOMINIUM ASSOCIATION, INC.  
6800 PLACIDA ROAD, ENGLEWOOD FL 34224  
941-697-9359

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Florida Public Service Commission

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## Utilities, Inc. of Sandalhaven

f Fiddler e c n l l l  
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l l l f t n l l  
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Now Sandalhaven wants our very small customer base to pay for oversized facilities that are not

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Our rates paid for previous years were low. Our rates are now two-thirds higher than they were in 2011 and 2012. Enough is enough.

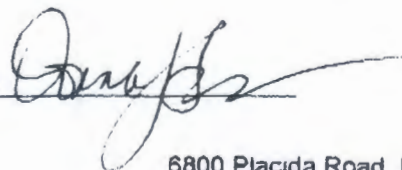
Please make representative measures for the decrease in our rates and ensure that they result in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Name

Donna Schuler

Signature



6800 Placida Road, Unit # TH2A, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Name Karen Shimborske

Signature Karen Shimborske

6800 Placida Road, Unit # 181 , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Thank you for your consideration.

Name William Short

Signature W.C. Short

6800 Placida Road, Unit # 261, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Name Sherreon Short

Signature Sherreon Short

6800 Placida Road, Unit # 261, Englewood, FL 34224



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Thank you for your consideration.

Sylvia C. Spurling  
Name

Sylvia C Spurling  
Signature

6800 Placida Road, Unit # 170, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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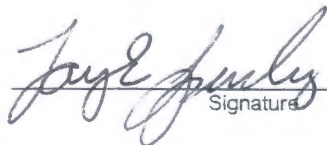
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LARRY E SPURLING  
Name

  
Signature

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Nancy Stovall  
Name

Nancy Stovall  
Signature

6800 Placida Road, Unit # 248, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
**941-697-9359**

**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 – SU

**Utilities, Inc. of Sandalhaven**

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Thank you for your consideration.

Billy Stovall  
Name

Billy Stovall  
Signature

6800 Placida Road, Unit # 248, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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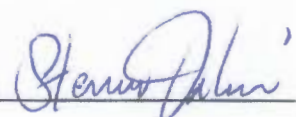
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Thank you for your consideration.

Name Steven Taleri

Signature 

6800 Placida Road, Unit # 1001, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name Noelle Talevi

Signature Noelle Talevi

6800 Placida Road, Unit # 1001, Englewood, FL 34224



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Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

MARGUERITE TALLMAN  
Name  
WILLIAM TALLMAN

[Signature]  
Signature

6800 Placida Road, Unit # 2015, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Internal Affairs/Agenda  
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Thank you for your consideration.

MARGUERITE TALLMAN  
Name

Marguerite Tallman  
Signature

6800 Placida Road, Unit # 2015, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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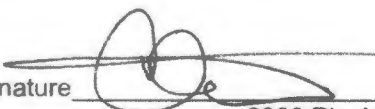
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Thank you for your consideration.

Name Clarke D. Turner

Signature 

6800 Placida Road, Unit # 292 , Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
**941-697-9359**

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**Parties/Staff**      **Handout**  
**Internal Affairs/Agenda**  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

Janice Toedt  
Name

Janice Toedt  
Signature

6800 Placida Road, Unit # 194, Englewood, FL 34224



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Richard Toedt  
Name

Richard W Toedt  
Signature

6800 Placida Road, Unit # 194, Englewood, FL 34224



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Internal Affairs/Agenda  
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Thank you for your consideration.

Name HOLLY P TURNER

Signature Holly P Turner  
6800 Placida Road, Unit #292, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Wayne Washington  
Name

[Signature]  
Signature

6800 Placida Road, Unit # TH3A Englewood, FL 34224



Florida Public Service Commission  
Director, Office of Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0870

August 5, 2015

Dear Sir,

I am writing to the commission reference Docket No. 150102-SU, Utilities, Inc. of Sandalhaven.

After reviewing the requested rate increase of Utilites Inc. of Sandalhaven the increase submitted to the Commission is grossly excessive. The increase proposed is from \$29.34 to \$70.12 which is a increase of \$40.78 on the base facility charge. That is a increase of 138%. Never mind that they also requested an increase per thousand gallon from \$6.59 to \$15.75.

The Commissions approved interim rate increases amounted to an 18% which still seems substantial, however I realize Utilities Inc. still has to make a profit.

Our Fiddlers Green Condo Association had to contact the Charlotte County Board of Health and have Utilites Inc. cited for percolating into the ground nearly double their permitted amount. This resulted in effluent from the plant on our streets and ditches. They have not been a good neighbor and in fact tried to mislead our board that they were in compliance. They were cited by the EPA for non-compliance.

Giving this rate increase would be rewarding them for not adhering to their permit.

Sincerely,



Wayne E Waddington  
Fiddlers Green Condo Assoc. !!  
Unit TH3A  
6800 Placida Rd.  
Englewood, FL 34224  
Tel. # 941-276-1959



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL 34224**  
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Thank you for your consideration.

Name MARIAN G. WINGERTER

Signature Marian G. Wingertter

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
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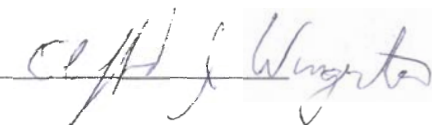
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Name CLIFFORD J. WINGERTER

Signature 

6800 Placida Road, Unit # \_\_\_\_\_, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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Thank you for your consideration.

Jeff Zor  
Name

Jeff Zor  
Signature

6800 Placida Road, Unit # 257, Englewood, FL 34224



**FIDDLER'S GREEN CONDOMINIUM ASSOCIATION II, INC.**  
**6800 PLACIDA ROAD, ENGLEWOOD FL34224**  
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If Sandalhaven were granted the increase it has requested, our rates would be more than three times what they were in 2011 and 2012.

We should pay a fair price for our sewer services, but tripling our rates is not fair. We experienced a 40% increase in 2012, and an 18% interim increase this year. The combined effect is that our rates are now two-thirds higher than they were in 2011 and 2012. Enough is enough.

Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Deborah Zar  
Name

Deborah Zar  
Signature

6800 Placida Road, Unit # 257, Englewood, FL 34224



## Hacienda Del Mar

Presented 12/3/15 Agenda Conference, Item 19.



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

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Thank you for your consideration.

KATHLEEN B. BETHRENS  
Name

Kathleen B. Bethrens  
Signature

8400 Placida Road # F401, Placida, FL 33946

Date: 11-2-15

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/3/15  
Item No. 19



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda

on 12/63/15

Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

RICHARD H BEHRENS

Name

Richard H Behrens

Signature

8400 Placida Road # F401, Placida, FL 33946

Date: 11-2-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

## Florida Public Service Commission

on 12 / 03 / 15

Docket No. 150102 - SU

Item No. 19

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Thank you for your consideration.

Lynda Grant  
Name

[Signature]  
Signature

8400 Placida Road # 301, Placida, FL 33946

Date: 11-6-2015



# PETITION

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

ELIZABETH BILINSKY  
Name

Elizabeth Bilinsky  
Signature

8400 Placida Road # C-205, Placida, FL 33946

Date: 11/11/15



# PETITION

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

RICHARD F. BUNINSKY  
Name

[Signature]  
Signature

8400 Placida Road # C-205, Placida, FL 33946

Date: 11/11/15



# PETITION

Parties/Staff   Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

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Thank you for your consideration.

James M. Grant

Name

James M. Grant

Signature

8400 Placida Road # 301, Placida, FL 33946



# PETITION

## Florida Public Service Commission

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

JAMES ADAMS  
Name

[Signature]  
Signature

8400 Placida Road # D-206, Placida, FL 33946

Date: 11/6/2015



# PETITION

## Florida Public Service Commission

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 08 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

Cynthia L. Abbot  
Name

C. L. Abbot  
Signature

8400 Placida Road # 0206, Placida, FL 33946

Date: 11/6/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

## Florida Public Service Commission

on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

JULIA DAY

Name

Julia Day

Signature

8400 Placida Road # C204, Placida, FL 33946

Date: 11/4/15



# PETITION

Parties Staff Handout  
Internal Affairs Agenda  
on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

FRANK J. DAY

Name

Frank J. Day

Signature

8400 Placida Road # 6204, Placida, FL 33946

Date: 11-16-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 02 / 15

Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

NATHAN SPITERI  
Name

[Signature]  
Signature

8400 Placida Road # G402, Placida, FL 33946

11/16/15  
Date



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

## Florida Public Service Commission

Docket No. 150102 - SU

on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Name

HENRY FERN

Signature

[Signature]

8400 Placida Road # A 305, Placida, FL 33946

Date: 11-7-2015



# PETITION

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

EDNA VIRNICK  
Name

Edna Virnick  
Signature

8400 Placida Road # A 305, Placida, FL 33946

Date: 11-7-2015



## PETITION

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

CAROLYN KELLY  
Name

Carolyn Kelly  
Signature

8400 Placida Road # 306A, Placida, FL 33946

Date: 11/8/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

JOANNE RYAN  
Name

Joanne Ryan  
Signature

8400 Placida Road # 306A, Placida, FL 33946

Date: 11/8/15



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Judith Zanzalari  
Name

Judith Zanzalari  
Signature

8400 Placida Road # 306A, Placida, FL 33946

Date: 11/8/15



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

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Thank you for your consideration.

John ZANZALARI  
Name

John Zanzalari  
Signature  
Date: 11/8/15

8400 Placida Road # 306A, Placida, FL 33946



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

A. J. Longo  
Name

A. J. Longo  
Signature

8400 Placida Road # A305, Placida, FL 33946

Date: 11/6/15



# PETITION

Parties Staff Handout  
Internal Affairs Agenda

on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Sonya G. Longo  
Name

Sonya G. Longo  
Signature

8400 Placida Road # A305, Placida, FL 33946

Date: 11-6-2015



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

VINCENT W. LONGO  
Name

V. W. Longo  
Signature

8400 Placida Road # A 305, Placida, FL 33946

Date: 11/10/15



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

Lucille Longa  
Name

Lucille Longa  
Signature

8400 Placida Road # A 305, Placida, FL 33946

Date: 11/7/2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

MARY ANN BURKE  
Name

Mary Ann Burke  
Signature

8400 Placida Road # C201, Placida, FL 33946

Date: Nov 6, 2015



# PETITION

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

LEE BOKK

Name

Lee Bokk

Signature

8400 Placida Road # 2304, Placida, FL 33946

Date: Nov 6, 2015



# PETITION

## Florida Public Service Commission

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Susan Kesson

Name

Susan Kesson

Signature

8400 Placida Road # A204, Placida, FL 33946

Date: 11-6-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

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Thank you for your consideration.

Spero Vasila  
Nancy Vasila  
Name

Spero Vasila  
Nancy Vasila  
Signature

8400 Placida Road # C302, Placida, FL 33946

Date: 11/6/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 08 / 15  
Item No. 19

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Thank you for your consideration.

Linda Wilson  
Name

Linda L. Wilson  
Signature

8400 Placida Road # E206, Placida, FL 33946

Date: 11-6-15



# PETITION

## Florida Public Service Commission

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Name

Val Wilson

Signature

Val Wilson

8400 Placida Road # E206, Placida, FL 33946

Date:

11-6-15



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Elaine Anderson  
Name

Elaine Anderson  
Signature

8400 Placida Road # A-304, Placida, FL 33946

10-19-2015



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Margaret Black  
Name

Margaret Black  
Signature

8400 Placida Road # A403, Placida, FL 33946

Date: NOV 1, 2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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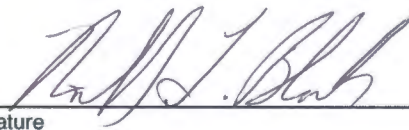
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Thank you for your consideration.

Richard Black

Name



Signature

8400 Placida Road # A403, Placida, FL 33946

Date: Nov 1, 2015



## PETITION

Parties Staff Handout  
Internal Affairs Agenda

on 12 / 02 / 15

Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

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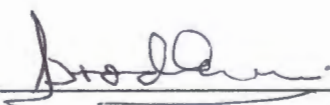
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Thank you for your consideration.

IAN BRADBURY  
Name

  
Signature

8400 Placida Road # \_\_\_\_\_, Placida, FL 33946

10/26/2015



# PETITION

Parties Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

T. Ross Anderson  
Name

J. Ross Anderson 10-19-15  
Signature

8400 Placida Road # A-307, Placida, FL 33946



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

#### Utilities, Inc. of Sandalhaven

I am a resident of Hacienda Del Mar, 8400 Placida Road, Placida FL 33946, which is served by Utilities, Inc. of Sandalhaven.

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Thank you for your consideration.

ZAYRA F CALDERÓN  
Name

[Signature] 10/19/15  
Signature

8400 Placida Road # 6402, Placida, FL 33946



# PETITION

## Florida Public Service Commission

~~Parties~~ Staff Handout  
~~Internal Affairs~~ Agenda  
on 12 / 02 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

William Michael Carr  
Name

Jim Carr  
Signature

8400 Placida Road # F403 Placida, FL 33946

Date: Nov 1, 2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

MARGARET (NESTOR) CHARLESBOIS  
Name

Signature

Margaret H. Charlesbois

8400 Placida Road # A202, Placida, FL 33946

Date:

10/28/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Robert Chaelchai  
Name

[Signature]  
Signature

8400 Placida Road # B-202, Placida, FL 33946

Date: 10/28/15



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda

Docket No. 150102 - SU

on 12 / 03 / 15  
Item No. 19

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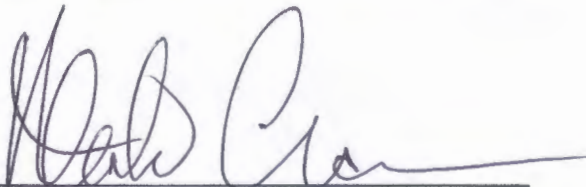
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Thank you for your consideration.

Mark ~~Stanton~~ Cramer  
11200 Hacienda Del Mar #201  
Placida, FL 33946

Name

  
Signature

8400 Placida Road # B201, Placida, FL 33946

Date: 10 / 31 / 15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

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Thank you for your consideration.

~~Mark &~~ Martha Cramer  
11200 Hacienda Del Mar #201  
Placida, FL 33946

Name

Signature

8400 Placida Road # B201, Placida, FL 33946

Date: 10/31/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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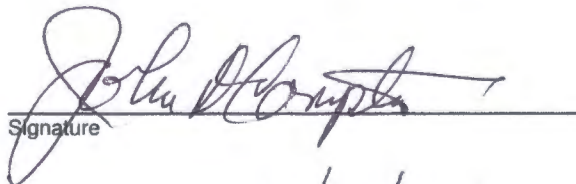
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Thank you for your consideration.

John D Compton  
Name

  
Signature

8400 Placida Road # C305, Placida, FL 33946

Date: 10/26/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Carol A. Conroy  
Name

Carol A. Conroy  
Signature

8400 Placida Road # C305, Placida, FL 33946

Date: Oct. 26 2015



~~Parties/Staff~~ Handout  
~~Internal Affairs/Agenda~~  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Donald N. Crone  
Name

[Signature]  
Signature

8400 Placida Road # D-401, Placida, FL 33946

Date: 10-28-15



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda

Docket No. 150102 - SU

on 12 / 03 / 15

Item No. 19

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Thank you for your consideration.

Lu Ramsay Cutter  
Name

[Signature]  
Signature

8400 Placida Road # B-305, Placida, FL 33946

Date: Oct. 24, 2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Charles W. Culla  
Name

[Signature]  
Signature

8400 Placida Road # B-305, Placida, FL 33946

Date: 26 - 10 - 15



## PETITION

Party/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

ANNE L. EISENBEIS  
Name

Anne L. Eisenbeis  
Signature

8400 Placida Road # \_\_\_\_\_, Placida, FL 33946

11/04/2015



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

GERALD R. EISENBERG  
Name

  
Signature

11/4/2015

8400 Placida Road # \_\_\_\_\_, Placida, FL 33946



## PETITION

Parties/Staff      Handout  
Internal Affairs/Agenda

on 12 / 03 / 15

Item No. 19

# Florida Public Service Commission

Docket No. 150102 - SU

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**Thank you for your consideration.**

Name Afuerster Anne Foerster Afuerster Signature Afuerster

8400 Placida Road # A205, Placida, FL 33946

Date: Oct 28, 2015



# PETITION

NOV 02 2015

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

FREDERICK A. GOERSTER II  
Name

Frederick A. Goerster II  
Signature

8400 Placida Road # A205, Placida, FL 33946

Date: October 28, 2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

CHRISTINE FRIDLINGTON  
Name

C. Fridlington.  
Signature

8400 Placida Road # D203, Placida, FL 33946

Dated. 28<sup>th</sup> OCTOBER 2015.



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

#### Utilities, Inc. of Sandalhaven

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Thank you for your consideration.

GEORGE E. FRIDDLINGTON  
Name

Signature



8400 Placida Road # D203, Placida, FL 33946

DATED 28<sup>th</sup> OCTOBER 2015



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

William L. Glass  
Name

  
Signature

8400 Placida Road # E-303, Placida, FL 33946

11-2-2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Tina M. Marzelli  
Name

Tina M. Marzelli  
Signature

8400 Placida Road # E-303, Placida, FL 33946

11-2-2015



ATTN: LISA  
941-629-0987

## PETITION

RECEIVED  
OCT 27 2015

Florida Public Service Commission

Docket No. 150102 - SU

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

BY:-----

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Thank you for your consideration.

Thomas P. Gorman  
Name

THOMAS P. GORMAN  
Signature

8400 Placida Road # F-306, Placida, FL 33946

Date: 10-26-2015



**ATTENTION: LISA****PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

GERALDINE GRIFFIN

Name

Geraldine Griffin

Signature

8400 Placida Road # 11120 Placida, FL 33946  
204

Date: OCT 27/15



# ATTN: LISA 941 629 0987

## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

ANTHONY GRIFFIN  
Name

  
Signature

8400 Placida Road # 11120- Placida, FL 33946  
204

Date: OCT 27/15



# PETITION

Parties/Staff   Handout  
Internal Affairs/Agenda

## Florida Public Service Commission

on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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Thank you for your consideration.

Patricia C. Halsay

Name

Patricia C. Halsay

Signature

8400 Placida Road # C-206, Placida, FL 33946

Date: 10/27/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/02/15  
Item No. 19

## Florida Public Service Commission

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Charles T. Halsey

Name



Signature

8400 Placida Road # C-206, Placida, FL 33946

Date: 10/27/15



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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

Louise S Hamil  
Name

Louise S Hamil  
Signature

8400 Placida Road # D-302, Placida, FL 33946

Date: 10-26-15



## PETITION

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Greg Hamil  
Name

[Signature]  
Signature

8400 Placida Road # D-302, Placida, FL 33946

Date: 12.24.15



Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

## PETITION

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Thank you for your consideration.

LINDA S HARRIS  
Name

Linda S Harris  
Signature

8400 Placida Road # F302 Placida, FL 33946

Date: 10/27/15



# PETITION

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

JOHN M. HAYNES

Name

[Signature]

Signature

8400 Placida Road # A201, Placida, FL 33946

Date: 10-30-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15  
Item No. 19

## Florida Public Service Commission

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Thank you for your consideration.

Henry Hess  
Name

Henry Hess  
Signature  
11/2/15

8400 Placida Road # G302, Placida, FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Lynn M. Hess  
Name

Lynn M. Hess  
Signature

8400 Placida Road # G302, Placida, FL 33946

11/2/2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

BILL HODSOLL

Name

Signature

8400 Placida Road # C402, Placida, FL 33946

Date: 10/29/15



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Linden Hustedt  
Name

[Signature]  
Signature

8400 Placida Road # A404, Placida, FL 33946

Date: 10/26/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

#### Utilities, Inc. of Sandalhaven

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Thank you for your consideration.

Kathi W Hustedt  
Name

Kathi W Hustedt  
Signature

8400 Placida Road # 464, Placida, FL 33946

Date: 10-26-15



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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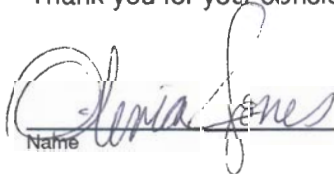
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Thank you for your consideration.

  
Name \_\_\_\_\_

  
Signature \_\_\_\_\_

8400 Placida Road # 60202, Placida, FL 33946

Date: 10/27/15



~~Parties/Staff~~ Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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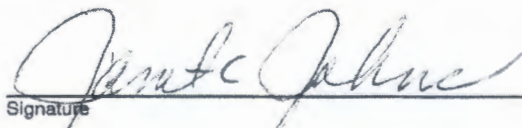
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Thank you for your consideration.

JANET C. JOHNS  
Name

  
Signature

8400 Placida Road # B203, Placida, FL 33946

Date: 10-27-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Docket No. 150102 - SU

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Thank you for your consideration.

Annette N. Johnston  
Name

Annette N. Johnston  
Signature

8400 Placida Road # E302, Placida, FL 33946

Date: 10-28-15



# PETITION

~~Parties/Staff~~ Handout  
~~Internal Affairs/Agenda~~  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

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Thank you for your consideration.

GEORGE JOHNSTON III  
Name

George Johnston III  
Signature

8400 Placida Road # E-304, Placida, FL 33946

Date: 10/28/15



~~Parties~~ Staff Handout  
Internal Affairs Agenda

on 12 / 03 / 15

Item No. 19

## PETITION

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Thank you for your consideration.

John A. Johnston  
Name

John A. Johnston  
Signature

8400 Placida Road # A-302, Placida, FL 33946

Date: 12/26/2015



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

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Thank you for your consideration.

JANICE R. JOHNSTON  
Name

Janice R. Johnston  
Signature

8400 Placida Road # A-302, Placida, FL 33946

Date: 10-26-2015



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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10-19-15

Mary C. Jones  
Name

Mary C. Jones  
Signature

8400 Placida Road # G306, Placida, FL 33946



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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AUDREY M KURCZYNSKI  
Name 1180 Hacienda Del Mar Blvd

Audrey M. Kurczynski  
Signature

8400 Placida Road # 404, Placida, FL 33946

Date: 11/27/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

## Florida Public Service Commission

on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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STANLEY E. KUTCZYNSKI  
Name  
11180 Hacienda Del Mar Blvd

Stanley E. Kutczynski  
Signature

8400 Placida Road # 404, Placida, FL 33946

Date: 10/27/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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MORGAN MATTON  
Name

NORHUA  
Signature

8400 Placida Road # G206, Placida, FL 33946

10/19/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Pamela K Mason  
Name

[Signature]  
Signature

8400 Placida Road # D-40, Placida, FL 33946

Date: 10-28-15



# PETITION

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
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Thank you for your consideration.

Mary M. McCarthy  
Name

Mary M. McCarthy  
Signature

8400 Placida Road # F-205, Placida, FL 33946

Date: 10-26-15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

Mary M. McCarthy  
Name

Mary M. McCarthy  
Signature

8400 Placida Road # G-401, Placida, FL 33946

Date: 10-26-15



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Parties/Staff Handout  
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Thank you for your consideration.

David F. McCarthy  
Name

David F. McCarthy  
Signature

8400 Placida Road # F 205, Placida, FL 33946

Date: 10/26/15



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Thank you for your consideration.

DAVID E M'CARTEY  
Name

David E M'Cartey  
Signature

8400 Placida Road #G-401, Placida, FL 33946

Date: 10/26/15



REIVED  
NOV 03 2015

## PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

## Utilities, Inc. of Sandalhaven

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

PAMELA McLEAN  
Name

Pamela McLean  
Signature

8400 Placida Road # C-301, Placida, FL 33946

Date: Nov 3, 2015



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Name

KAY McVEY

Signature

Kay McVey

10-19-15

8400 Placida Road # \_\_\_\_\_, Placida, FL 33946



# PETITION

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Hugh McVey  
Name

10-19-15  
Hugh McVey  
Signature

8400 Placida Road # C-203, Placida, FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

LouAnne Miller  
Name

[Signature]  
Signature

8400 Placida Road # D 305, Placida, FL 33946

Date: November 1 / 15



# PETITION

~~Parties/Staff~~ Handout  
~~Internal Affairs/Agenda~~  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Ardley Ross Miller  
Name

[Signature]  
Signature

8400 Placida Road # D305, Placida, FL 33946

Date: Nov 1 2015



## PETITION

~~Parties/Staff~~ Handout  
Internal Affairs/~~Agenda~~  
on 12 / 03 / 15  
Item No. 19

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Robert L. Northedge  
Name

Robert L. Northedge  
Signature

8400 Placida Road # E200, Placida, FL 33946

Date: 10/26/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

GAY A. NORTHEGE  
Name

GAY A. NORTHEGE  
Signature

8400 Placida Road # E 201, Placida, FL 33946

Date: 10/27/15



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
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MICHAEL O'MALLEY

Signature

I reside at Placida Road # A-301, Placida, FL 33946

Date:

10/26/15



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

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~~Parties~~ Staff Handout  
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on 12/08/15  
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Nancy J. O'Malley Nancy J. O'Malley  
Signature

8400 Placida Road # A301, Placida, FL 33946

Date: 10/26/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Donald L. Pierce  
Name

[Signature]  
Signature

8400 Placida Road # F302, Placida, FL 33946

Date: 10/27/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

KARLA S. POTTHAST-HAYNES  
Name

KARLA S. POTTHAST-HAYNES  
Signature

8400 Placida Road # A201, Placida, FL 33946

Date: 10-30-15



# PETITION

~~Parties~~ Staff Handout  
Internal Affairs ~~Agenda~~  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

TIMOTHY SAEWERT  
Name

Timothy Saewert  
Signature

8400 Placida Road # E 203, Placida, FL 33946

Date: 10/26/15



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

MARGARET SAEWERT  
Name

Margaret Saeuwert  
Signature

8400 Placida Road # E203, Placida, FL 33946

Date: 10/26/15



# PETITION

~~Parties/Staff~~ Handout  
Internal Affairs ~~Agenda~~  
on 12 / 03 / 15  
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Thank you for your consideration.

LAWRENCE SCHMIDT  
Name

Lawrence G. Schmidt  
Signature

8400 Placida Road # A402, Placida, FL 33946

10-26-15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/02/15  
Item No. 19

## PETITION

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Docket No. 150102 - SU

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Thank you for your consideration.

Susan Smart  
Name

[Signature]  
Signature

8400 Placida Road # E-306, Placida, FL 33946

Date: 10/27/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Please make Sandalhaven responsible for its decisions. Our rates are higher than they would be in a competitive environment, and they should not be raised again.

Thank you for your consideration.

Name

Larry Smart

Signature

Larry Smart

8400 Placida Road # E-306 Placida, FL 33946

Date:

10/27/15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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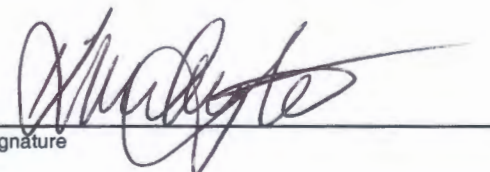
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Thank you for your consideration.

KATHRYN SPITERI  
Name

  
Signature 10/19/15

8400 Placida Road # E206, Placida, FL 33946



## PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
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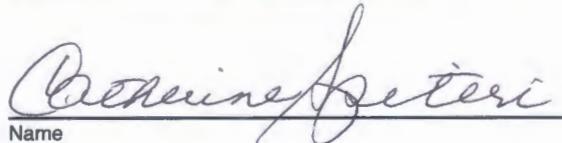
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Thank you for your consideration.

  
Name

CATHERINE SPITERI  
Signature

10-19-15

8400 Placida Road # F206, Placida, FL 33946



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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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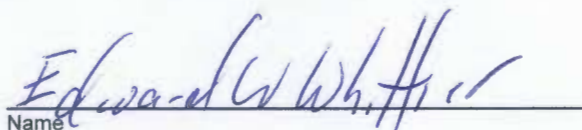
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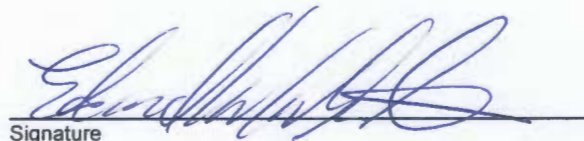
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Thank you for your consideration.

  
Name

  
Signature

8400 Placida Road # 6403, Placida, FL 33946

10-26-15



# PETITION

~~Parties/Staff~~ Handout  
Internal Affairs/~~Agenda~~  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Melinda Vasila  
Name

Melinda Vasila  
Signature

8400 Placida Road # G-206, Placida, FL 33946

Date: 01 / 28 / 15



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Thomas Vasila  
Name

Thomas Vasila  
Signature

8400 Placida Road # 6206, Placida, FL 33946

Date: 10 / 28 / 15



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Parties/Staff Handout  
Internal Affairs/Agenda  
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Thank you for your consideration.

JEAN WILLIAMS  
Name

Jean Williams  
Signature

8400 Placida Road # E. 305 Placida, FL 33946

Date: 10/27/15



## PETITION

Parties/Staff Handout  
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on 12 / 02 / 15  
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Bruce Williams  
Name

  
Signature

8400 Placida Road # E-305 Placida, FL 33946

Date: 12/27/15



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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
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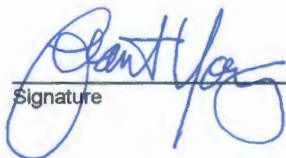
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GRANT YOUNG  
Name

  
Signature

8400 Placida Road #G-305, Placida, FL 33946

10-26-15



## Harbortown Village Condominiums

Presented 12/3/15 Agenda Conference, Item 19.



**PETITION**  
**Florida Public Service Commission**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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KERRY PAULIN  
Name

[Signature]  
Signature

7070 Placida Road # 1127, Placida, FL 33946



Parties / Staff    Handout  
Internal Affairs / Agenda  
on 12 / 03 / 15  
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Patricia Paulin  
Name

Patricia Paulin  
Signature

7070 Placida Road # 1127, Placida, FL 33946



## PETITION

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Parties/Staff Handout  
Internal Affairs/Agenda

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L. H. E. E. T.  
Name

[Signature]  
Signature

7070 Placida Road # 1231, Placida, FL 33946



Parties/Staff      Handout  
Internal Affairs/Agenda

on 12/02/15  
Item No. 19

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MARTIN A. SWANSON  
Name

  
Signature

7070 Placida Road # 1221, Placida, FL 33946



Parties/Staff Handout  
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CARDINE E. SWANSON  
Name

Cardine E. Swanson  
Signature

7070 Placida Road # 1221, Placida, FL 33946



Parties/Staff Handout  
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Thank you for your consideration.

S. M. MEWETT  
Name

S. M. Mewett  
Signature

7070 Placida Road # 1231, Placida, FL 33946



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BARBARA MATHIES  
STEVE MATHIES  
Name

Barbara Mathies  
Signature

7070 Placida Road # 1123, Placida, FL 33946



Parties Staff Handout  
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Thank you for your consideration.

Nancy K Wilson  
Name

Nancy K Wilson  
Signature

7070 Placida Road # 1115, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15

Item No. 19

## PETITION Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

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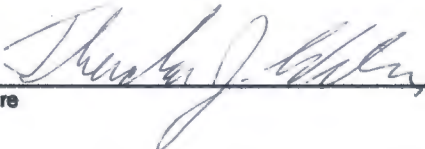
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Thank you for your consideration.

THEODORE J. WILSON  
Name

  
Signature

7070 Placida Road # 1115, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

## PETITION

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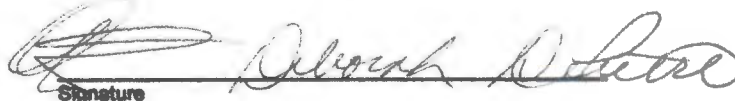
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Thank you for your consideration.

Anthony + Deborah DiPietro  
Name

  
Signature

7070 Placida Road # 1230, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Name

Signature

7070 Placida Road # 1011, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

**PETITION**  
**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

Diane Bumba  
Name

Diane Bumba  
Signature

7070 Placida Road # 1210, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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**Florida Public Service Commission**

Docket No. 150102 - SU

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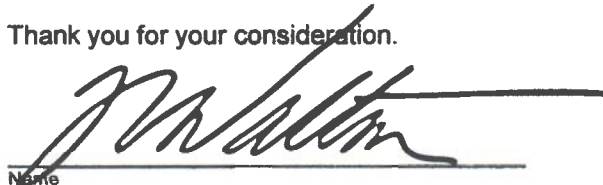
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Name

Signature

7070 Placida Road # 1114, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Melinda Vasila  
Name

Melinda Vasila  
Signature

7070 Placida Road # 1120, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs Agenda  
on 12 / 08 / 15  
Item No. 19

**PETITION**  
**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

James Cresswell  
Name

[Signature]  
Signature

7070 Placida Road # 1233, Placida, FL 33946



**PETITION**  
**Florida Public Service Commission**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

Docket No. 150102 - SU

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James Cresswell  
Name

[Signature]  
Signature

7070 Placida Road # 1232, Placida, FL 33946



# PETITION

(Parties/Staff Handout  
Internal Affairs/Agenda)  
on 12 / 03 / 15  
Item No. 19

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Name

Kenneth A. Zaff Jr.

Signature

Kenneth A. Zaff Jr.

7070 Placida Road # 1116, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15

Item No. 19

## PETITION

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John & Mary Tasker  + Mary Tasker  
Name Signature

7070 Placida Road # 1117, Placida, FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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CAROL J. Chaney  
Name

Carol J Chaney  
Signature

7070 Placida Road # 1121, Placida, FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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CARL WALTER

  
Name

Signature

7070 Placida Road # 1114, Placida, FL 33946



## Cape Haze Resort

Presented 12/3/15 Agenda Conference, Item 19.



**Florida Public Service Commission**  
**Docket No. 150102-SU**  
**Utilities, Inc. of Sandalhaven**

Thursday, December 3, 2015, 1 p.m.

**Closing the WWTF is going to increase costs by \$375,000 per year.**

Assumptions:

Assume that usage charges represent the cost of processing waste.

Assume that the WWTF would process 72,000 gallons per day on average (the volume reported for 2014).

Cost Implications:

\$4.43	The usage rate prior to the expansion, when all waste was treated by the WWTF.
\$18.70	The new usage rate per thousand gallons
\$14.27	The increase in the usage rate per thousand gallons
\$375,016	The total increase in cost per annum

Conclusions and Recommendations

The WWTF was far more cost efficient than the new configuration.

The closing of the WWTF resulted solely from Sandalhaven's mismanagement. Therefore, any increased cost should be borne by Sandalhaven entirely, and not by the rate-payers.

The proposed rate increase should be decreased by \$375,000.

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 3 / 15  
Item No. 19



**Florida Public Service Commission**  
**Docket No. 150102-SU**  
**Utilities, Inc. of Sandalhaven**

Thursday, December 3, 2015, 1 p.m.

**Current “rates” are 13-18% higher than neighboring utilities**

**Proposed “rates” are 2.2 to 2.3 times higher than neighboring utilities**

Annual costs for Cape Haze Resort as a customer of four utilities

**At Current Rates**

		<u>Sandalhaven is higher by</u>
Sandalhaven	\$51,928	
Englewood	\$46,127	\$5,801 or 13%
Boca Grande	\$44,444	\$7,484 or 17%
Charlotte County	\$43,890	\$8,038 or 18%

**At Proposed Rates**

		<u>Sandalhaven is higher by</u>
Sandalhaven	\$100,761	
Englewood	\$46,127	\$54,634 or 2.2 times
Boca Grande	\$44,444	\$56,317 or 2.2 times
Charlotte County	\$43,890	\$56,871 or 2.3 times

**Notes on Rates and Usage**

Englewood	\$22.72 / unit + \$3.00 usage
Boca Grande	\$25.72 / unit + \$0.00 usage on the first 5,000 gallons
Charlotte County	\$20.71 / unit + \$3.54 usage
Sandalhaven (current)	\$469.43 / bldg (\$19.56 / unit) + \$7.92 usage
Sandalhaven (proposed)	\$804.96 / bldg (\$33.54 / unit) + \$18.70 usage

Usage for last 12 months      2,289 thousands of gallons for the six condo buildings



**Florida Public Service Commission**  
**Docket No. 150102-SU**  
**Utilities, Inc. of Sandalhaven**

Thursday, December 3, 2015, 1 p.m.

**Cape Haze Resort will pay an additional \$52,000 next year for sewer services**

**Base Fee (12 months)**

<u>Current</u>		<u>Proposed</u>	
\$469.43 x 6 x 12		\$804.96 x 6 x 12	
\$146.69 x 1 x 12	\$35,559	\$251.55 x 1 x 12	\$60,976

**Usage (12 months)**

<u>Current</u>		<u>Proposed</u>	
\$7.92 x 2,450	\$19,404	\$18.70 x 2,450	\$45,815

**Total Cost (12 months)**

<u>Current</u>		<u>Proposed</u>	
base + usage	\$54,963	base + usage	\$106,790
		<b><u>INCREASE</u></b>	<b><u>\$51,827</u></b>

**Notes on Usage**

Usage for last 12 months was 2,450 thousands of gallons for the six condo buildings plus the clubhouse



# PETITION

108

## Florida Public Service Commission

Parties/Staff Handout  
Internal Affairs/Agenda

Docket No. 150102 - SU

on 12 / 02 / 15

Item No. 19

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Thank you for your consideration.

ARTOR HEATER  
Name

Signature

84 05 Placida Road # 306, Cape Haze FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/02/15  
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WILLIAM SLAMA  
Name

  
Signature

84 11 Placida Road # 407, Cape Haze FL 33946



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Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

ARMOND YOUNG  
Name

Armond Young  
Signature

8411 Placida Road #206, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

VONNE YOUNG  
Name

Vonne Young  
Signature

84 11 Placida Road # 206, Cape Haze FL 33946



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~~Parties/Staff~~ Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
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Thank you for your consideration.

Jean E. Peck  
Name

Jean E. Peck  
Signature

84 11 Placida Road # 402, Cape Haze FL 33946



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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

  
Name

  
Signature

84 44 Placida Road # 208, Cape Haze FL 33946



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Item No. 19

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Thank you for your consideration.

Michael Luti  
Name

[Signature]  
Signature

84 11 Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

LAWRENCE C SALMON

Name

Lawrence C Salmon

Signature

8405 Placida Road # 208, Cape Haze FL 33946



**PETITION**

Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12/03/15  
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Linda Salamon  
Name

Linda Salamon  
Signature

84 05 Placida Road # 208, Cape Haze FL 33946



**PETITION**

Parties/Staff    Handout  
Internal Affairs/Agenda

on 12 / 03 / 15

Item No. 19

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SCOTT D. SALAMAN  
Name

Scott D. Salaman  
Signature

8405 Placida Road # 208, Cape Haze FL 33946



Parties/Staff Handout  
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on 12 / 03 / 15  
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GAIL DONAHUE  
Name

  
Signature

8409 Placida Road # 401, Cape Haze FL 33946



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Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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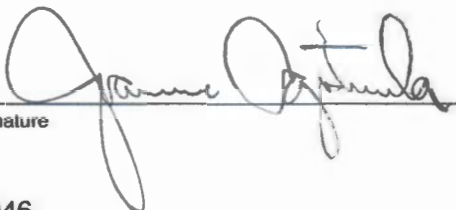
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JOANNE AGOSTAROLA  
Name

  
Signature

8409 Placida Road # 401, Cape Haze FL 33946



**Parties** Staff Handout  
**Internal Affairs** Agenda

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Elizabeth Stephenson  
Name

Elizabeth Stephenson  
Signature

84 07 Placida Road # 207, Cape Haze FL 33946



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**Parties/Staff**   **Handout**  
**Internal Affairs/Agenda**  
on 12 / 03 / 15  
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STEVEN J. BAUER  
Name

  
Signature

84 07 Placida Road # 208, Cape Haze FL 33946



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on 12/01/15  
Item No. 19

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Sinda Lute  
Name

Sinda Lute  
Signature

84 11 Placida Road # 303, Cape Haze FL 33946



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Parties/Staff Handout  
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on 12 / 03 / 15

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Alice Fay

Name

Ali Z

Signature

84 01 Placida Road # 406 Cape Haze FL 33946



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Parties/Staff Handout  
Internal Affairs/Agenda

Florida Public Service Commission

on 12 / 03 / 15  
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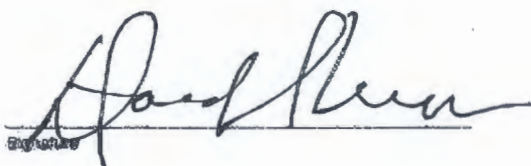
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DAVID SLURPER  
Name

  
Signature

84 07 Placida Road # 406 Cape Haze FL 33946



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RONALD K. PETERSON  
Name

RK Peterson  
Signature

84 07 Placida Road # 308, Cape Haze FL 33946



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on 12 / 02 / 15  
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Thank you for your consideration.

Michael Sweeney  
Name

Michael Sweeney  
Signature

84 05 Placida Road # 405, Cape Haze FL 33946



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ROBERT KOCH

Robert Koch

Name

Signature

84 07 Placida Road # 404, Cape Haze FL 33946



Parties/Staff Handout  
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Thank you for your consideration.

MANFRIED LURIG  
Name

Manfred Lurig  
Signature

84 07 Placida Road # 303, Cape Haze FL 33946



# PETITION

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Caroline Connolly  
Name

Caroline Connolly  
Signature

84 09 Placida Road # 301, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 02 / 15  
Item No. 19

## PETITION

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Docket No. 150102 - SU

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Thank you for your consideration.

Valevie A. Wittkamper  
Name

Valevie A. Wittkamper  
Signature

84 13 Placida Road # 304, Cape Haze FL 33946



# PETITION

Parties Staff Handout  
Internal Affairs Agenda  
on 12 / 02 / 15  
Item No. 19

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Docket No. 150102 - SU

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Thank you for your consideration.

Marian Marian Krupiczewicz  
Name

Marian Krupiczewicz  
Signature

84 05 Placida Road # 403, Cape Haze FL 33946



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

### Utilities, Inc. of Sandalhaven

~~Parties/Staff~~ Handout  
Internal Affairs ~~Agenda~~  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

David Krupiczewicz  
Name

David Krupiczewicz  
Signature

8405 Placida Road # 403, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

LORI D. FARRAR

Name



Signature

84 11 Placida Road # 304 Cape Haze FL 33946



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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/08/15  
Item No. 19

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Thank you for your consideration.

PAH Enterprises LLC.

Phyllis Albruzzese (member)

Name

Signature

84 13 Placida Road # 404, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

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LYNN A. Dessoffy  
Name

Lynn A. Dessoffy  
Signature

84 05 Placida Road # 301, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

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Docket No. 150102 - SU

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DANIEL M. BARTON

Name

Daniel M. Barton

Signature

84 05 Placida Road # 204, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15  
Item No. 19

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Christine M Barton  
Name

Christine M Barton  
Signature

84 05 Placida Road # 204, Cape Haze FL 33946



## PETITION

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 16  
Item No. 19

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Joseph Jackl  
Name

[Signature]  
Signature

84 03 Placida Road # 301, Cape Haze FL 33946



~~Parties/Staff~~ Handout  
Internal Affairs/~~Agenda~~

on 12 / 03 / 15

Item No. 19

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Vincent PARMAN

Name

V. Parman

Signature

84      Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Vipul PATEL  
Name

V. Patel  
Signature

84 \_\_\_\_ Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Vipul PARIKH  
Name

V. Parikh  
Signature

84 \_\_\_\_\_ Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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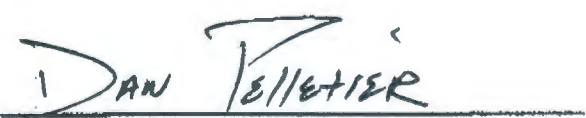
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Thank you for your consideration.

  
Name

  
Signature  
\$ FAMILY

84 03 Placida Road # 308, Cape Haze FL 33946

Thanks!



Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Judy Soistman  
Name

Judy Soistman  
Signature

84 03 Placida Road # 402, Cape Haze FL 33946



Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Kenneth Maloof  
Name

Kenneth Maloof  
Signature

84 03 Placida Road # 408, Cape Haze FL 33946



94-6976365

**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

MARIA Mutschler  
Name

Maria Mutschler  
Signature

84 11 Placida Road # 404, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Docket No. 150102 - SU

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Thank you for your consideration.

Janet Werner  
Name

Janet Werner  
Signature

84 07 Placida Road # 204, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

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Thank you for your consideration.

Robert Warner  
Name

Robert Warner  
Signature

84 01 Placida Road # 204, Cape Haze FL 33946



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Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 08 / 15  
Item No. 19

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JOHN VAN ZUTPHEN  
Name

John Van Zutphen  
Signature

84 11 Placida Road # 408, Cape Haze FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Robert J. McKenna  
Name

Paul J. Mike  
Signature

84 13 Placida Road # 401, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Robert W Baran  
Name

[Signature]  
Signature

8405 Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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SUZANNE BARAN  
Name

Suzanne Baran  
Signature

84 DE Placida Road # 303, Cape Haze FL 33946



Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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MARY LOU KUHN  
Name

Mary Lou Kuhn  
Signature

84 05 Placida Road # 208, Cape Haze FL 33946



**PETITION**

~~Parties/Staff~~ Handout  
Internal Affairs/~~Agenda~~  
on 12 / 03 / 15  
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**Florida Public Service Commission**

Docket No. 150102 - SU

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Bob Schmitz  
Name

  
Signature

84 09 Placida Road # 202, Cape Haze FL 33946



# PETITION

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

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Docket No. 150102 - SU

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Susan Basford  
Name

Susan Basford  
Signature

84 09 Placida Road # 406, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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H. Wells French  
Name

H. Wells French  
Signature

84 09 Placida Road # 307, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Carol W Baran  
Name

Carol W Baran  
Signature

84 03 Placida Road # 201, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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JOAN SOKOLOWICZ

ROBERT SOKOLOWICZ

Name

*Joan Sokolowicz*

*Robert H. Sokolowicz*

Signature

84 05 Placida Road # 302, Cape Haze FL 33946



# PETITION

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Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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DAVID BARAN

Name



Signature

84 03 Placida Road # 201, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 02 / 15  
Item No. 19

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PATRIC J DILTS  
Name

Signature

84 13 Placida Road # 208, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda

on 12 / 03 / 15

Item No. 19

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ALBERT P. DOUGLAS

Name

[Signature]

Signature

8413 Placida Road # 301, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15

Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 15Q102 - SU

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CYNTHIA L. MORAN

Name

Cynthia L. Moran

Signature

84 13 Placida Road # 403 Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Jayne Morren  
Name

Jayne Morren  
Signature

84 13 Placida Road # 402, Cape Haze FL 33946



**PETITION**

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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BETTY A. WACHTER  
Name

Betty A. Wachter  
Signature

84 13 Placida Road # 407, Cape Haze FL 33946



Parties/Staff Handout  
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on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

DONALD A. BERGEN  
Name

Donald A. Bergen  
Signature

84 13 Placida Road # 203, Cape Haze FL 33946



Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

JAMES A. WINTERICH  
Name

James A. Winterich  
Signature

84 09 Placida Road # 207, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/ Agenda  
on 12/03/15  
Item No. 19

## PETITION

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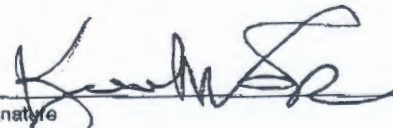
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Thank you for your consideration.

Kenneth M Smith  
Name

  
Signature

84 \_\_\_\_\_ Placida Road # \_\_\_\_\_, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda

on 12/03/15

Item No. 19

## PETITION

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C. ROMESH WEEERASOOLIZY A  
Name

  
Signature

84 09 Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

MARY A. AHLRICH-KNUEVEN  
Mary A. Ahlrich-Knueven  
Name

Mary A. Ahlrich-Knueven  
Signature  
10/11/15

84 09 Placida Road # 305, Cape Haze FL 33946



**PETITION**

**Parties/Staff Handout**  
**Internal Affairs/Agenda**  
on 12/03/15  
Item No. 19

**Florida Public Service Commission**

Docket No. 150102 - SU

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Thank you for your consideration.

Thomas A Schey  
Name

Thomas A Schey  
Signature

84 11 Placida Road # 207, Cape Haze FL 33946



**PETITION**

**Parties/Staff Handout**  
**Internal Affairs/Agenda**  
on 12 / 03 / 15  
Item No. 19

**Florida Public Service Commission**

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Thank you for your consideration.

Todd E. Arsenau

Name

Todd E. Arsenau

Signature

84 11 Placida Road # 305, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

William L. Peck  
Name

[Signature]  
Signature

84 11 Placida Road # 402, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

Florida Public Service Commission

Docket No. 150102 - SU

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GROUNDED HOLE  
KATHLEEN TURNER

84 27 Placida Road # 844 Cape Haze FL 33948

10/1/15



Partes/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## PETITION

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DARLENE R. KOSZICK  
Name

Darlene R Koszick  
Signature

84 11 Placida Road # 401, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs (Agenda)

on 12 / 03 / 15

Item No. 19

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Alyson Raco  
Name

Alyson Raco  
Signature

84 07 Placida Road # 202, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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JOHN DESSOFFY  
Name

[Signature]  
Signature

8405 Placida Road # 201, Cape Haze FL 33946



(Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

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Robert LORAN  
Name

[Signature]  
Signature

8403 Placida Road # 206, Cape Haze FL 33946



~~Parties/Staff~~ Handout  
~~Internal Affairs~~ Agenda  
on 12 / 03 / 15  
Item No. 19

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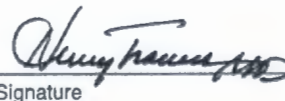
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Thank you for your consideration.

Henry Travers

Name

  
Signature

84 03 Placida Road # 208, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Thank you for your consideration.

James M Blackburn

PHOEBE G. BLACKBURN

Name

James M Blackburn

Phoebe G. Blackburn

Signature

84 03 Placida Road # 306, Cape Haze FL 33946



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Thank you for your consideration.

Karen Wilkins

Name



Signature

8403 Placida Road #401, Cape Haze FL 33946

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19



(Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

JACK LEONARD  
Name

[Signature] 12-11-15  
Signature

84 03 Placida Road # 404, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Jay Eisenberg  
Name

Jay Eisenberg  
Signature

84 05 Placida Road # 203, Cape Haze FL 33946



# PETITION

## Florida Public Service Commission

Docket No. 150102 - SU

**Utilities, Inc. of Sandalhaven**

Parties/Staff    Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

LUISA-COHALILLO

Name

[Signature]

Signature

84 \_\_\_\_ Placida Road # \_\_\_\_\_, Cape Haze FL 33946

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Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

Sy ZAJDE WAGENSCHNIGL   
Name Signature

84 65 Placida Road # 402 Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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Name

  
Signature

84 \_\_\_\_\_ Placida Road # \_\_\_\_\_, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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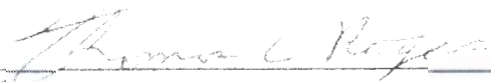
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THOMAS C. ROGERS  
Name

  
Signature

84 07 Placida Road # 301, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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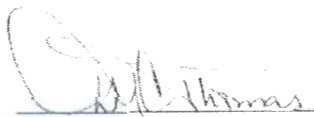
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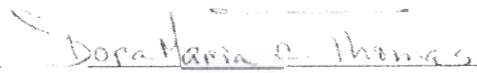
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Name

  
Signature

84 07 Placida Road # 302, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Rosanna Long  
Name

[Signature]  
Signature

84 01 Placida Road # 304, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Marie E. Rogers  
Name

Marie E. Rogers  
Signature

84 12 Placida Road # 401, Cape Haze FL 33946



~~Parties~~ Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

Robert Lordan  
Name

[Signature]  
Signature

8407 Placida Road # 407, Cape Haze FL 33946



~~Parties/Staff~~ Handout  
Internal Affairs/~~Agenda~~  
on 12 / 03 / 15  
Item No. 19

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Sylvain BEDOUET  
Name

  
Signature

10/11/2013

84 07 Placida Road # 408, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Diane Bumba  
Rotonda Real Estate Co., Inc.  
Name

Diane Bumba  
Signature

84 09 Placida Road # 201, Cape Haze FL 33946



Parties/Staff   Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Victoria Gross  
\_\_\_\_\_  
Name

  
\_\_\_\_\_  
Signature

84 09 Placida Road # 203, Cape Haze FL 33946

\_\_\_\_\_



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Diane Bumba  
Caruba News, Inc.  
Name

Diane Bumba  
Signature

84 09 Placida Road # 205, Cape Haze FL 33946



Parties/Staff Handout  
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Item No. 19

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Diane Bumba  
Rotonda Real Estate Co., Inc.  
Name

Diane Bumba  
Signature

84 09 Placida Road # 302, Cape Haze FL 33946



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on 12/03/15  
Item No. 19

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MICHAEL BLAHA  
Name

Michael R Blaha  
Signature

84 09 Placida Road # 305, Cape Haze FL 33946



~~Parties/Staff~~ ~~Handout~~  
~~Internal Affairs/Agenda~~  
on 12/03/15  
Item No. 19

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STEVEN P FLASHMAN  
Name

S.P. Flashman  
Signature

8409 Placida Road # 403, Cape Haze FL 33946



~~Parties/Staff~~ Handout  
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on 12 / 03 / 15  
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Caruba News, Inc.  
Name

Diane Bumba  
Signature

8409 Placida Road # 404, Cape Haze FL 33946



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Diane Burnba  
Rotonda Real Estate Co., Inc  
Name

Diane Burnba  
Signature

8409 Placida Road # 405, Cape Haze FL 33946



Parties/Staff Handout  
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Item No. 19

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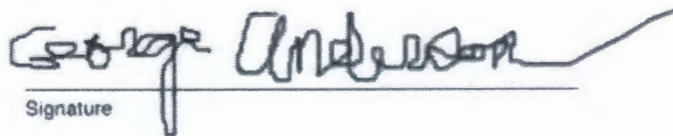
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Thank you for your consideration.

George Anderson

Name



Signature

84 09 Placida Road # 408, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

## PETITION

### Florida Public Service Commission

Docket No. 150102 - SU

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Thank you for your consideration.

DENNIS MURPHY  
Name

Dennis Murphy  
Signature

84 11 Placida Road # 203, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 03 / 15  
Item No. 19

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Thank you for your consideration.

SANTINA MURPHY  
Name

  
Signature

84 11 Placida Road # 203, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
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Item No. 19

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Thank you for your consideration.

James M Blackburn

PHOEBE G. BLACKBURN

Name

James M Blackburn  
Phoebe G. Blackburn

Signature

84 11 Placida Road # 306, Cape Haze FL 33946



Partie/Staff Handout  
Internal Affairs/Agenda  
on 12/03/15  
Item No. 19

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rick wiedemer  
Name

Rick Wiedemer  
Signature

84 11 Placida Road # 308, Cape Haze FL 33946



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Thank you for your consideration.

Cheryl A. Cook  
Name

Cheryl A. Cook  
Signature

84 11 Placida Road # 403, Cape Haze FL 33946



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Item No. 19

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Anna Hovanec & Carol Bruce  
Name

Signature

84 11 Placida Road # 406, Cape Haze FL 33946



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Thank you for your consideration.

Caruba News, Inc.

Name

Diane Burke  
President

Signature

84 13 Placida Road # 204, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
on 12 / 08 / 15  
Item No. 19

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Thomas H. Dekker  
Name

[Signature]  
Signature

84 13 Placida Road # 302, Cape Haze FL 33946



Parties/Staff Handout  
Internal Affairs/Agenda  
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Koy W. Smith  
Name

[Signature]  
Signature

84 19 Placida Road # 303, Cape Haze FL 33946



Parties/Staff Handout  
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Item No. 19

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Thomas E. Hubbard  
Name

Thomas E. Hubbard  
Signature

84 23 Placida Road # 305, Cape Haze FL 33946



Parties/Staff Handout  
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\_\_\_\_\_  
Name

Steven M Lutz  
Signature

84 13 Placida Road # 308 Cape Haze FL 33946



Parties/Staff Handout  
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Diare Bumba  
Caruba News, Inc.

Name

Diare Bumba

Signature

84 13 Placida Road # 403, Cape Haze FL 33946



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Theresa Williams  
Name

Theresa Williams  
Signature

84 13 Placida Road # 405, Cape Haze FL 33946



~~Parties~~/Staff Handout  
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Name

Signature

84 1 Placida Road # 101, Cape Haze FL 33946



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Charles E. Mohn  
Name

[Signature]  
Signature

84 13 Placida Road # 406, Cape Haze FL 33946



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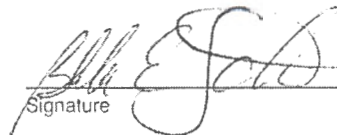
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Thank you for your consideration.

Stake Schmidt  
Name

  
Signature

84 13 Placida Road # 408, Cape Haze FL 33946



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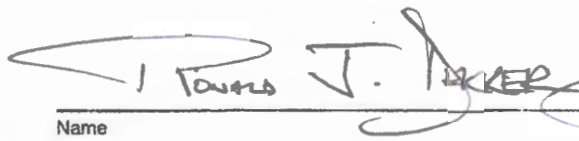
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Name \_\_\_\_\_ Signature \_\_\_\_\_

84 03 Placida Road # 305, Cape Haze FL 33946



Martin S. Friedman, Esquire

Presented 12/3/15 Agenda Conference, Item 19.



Florida Statute 367.081(2) (a) - Rates; procedure for fixing and changing.

2. For purposes of such proceedings, the commission shall consider utility property, including land acquired or facilities constructed or to be constructed within a reasonable time in the future, not to exceed 24 months after the end of the historic base year used to set final rates unless a longer period is approved by the commission, to be used and useful in the public service, if:

- a. Such property is needed to serve current customers;
- b. Such property is needed to serve customers 5 years after the end of the test year used in the commission's final order on a rate request as provided in subsection (6) at a growth rate for equivalent residential connections not to exceed 5 percent per year; or
- c. Such property is needed to serve customers more than 5 full years after the end of the test year used in the commission's final order on a rate request as provided in subsection (6) only to the extent that the utility presents clear and convincing evidence to justify such consideration.

Notwithstanding the provisions of this paragraph, **the commission shall approve rates for service which allow a utility to recover from customers the full amount of environmental compliance costs.** Such rates may not include charges for allowances for funds prudently invested or similar charges. For purposes of this requirement, the term "environmental compliance costs" includes all reasonable expenses and fair return on **any prudent investment incurred by a utility in complying with the requirements or conditions contained in any permitting, enforcement, or similar decisions** of the United States Environmental Protection Agency, **the Department of Environmental Protection**, a water management district, or any other governmental entity with similar regulatory jurisdiction.

**Parties/Staff    Handout**  
**Internal Affairs/Agenda**  
on 12 / 3 / 15  
Item No. 19



## Office of Public Counsel

Presented 12/3/15 Agenda Conference, Item 19.



**ISSUE 1**  
**QUALITY OF SERVICE**  
**Pages 5 – 9**

OPC submits that the quality of service is unsatisfactory.

- The utility failed to make prudent business decisions to maintain the wastewater treatment plant reuse disposal options. The utility failed to seek alternate reuse or disposal sites for its treated effluent which resulted in the derating of its wastewater treatment plant capacity from 150,000 gpd to 99,000 gpd.
- The utility failed take action when customers complained about water leaching from the retention pond in 2013. The utility responded to correct the problem, months later, only after the customers complained to DEP in 2014.
- These failures ultimately resulted in the premature retirement of its wastewater treatment plant, which was the lowest cost treatment option.
- When the utility determined that an inadvertent error occurred in the interim rate billing (nearly doubling customer rates), the utility failed take immediate action to notify customers.

A quality of service finding should be based upon past actions and the utility should not be allowed to promise to improve quality of service in the future without being held accountable for its prior actions.

OPC submits that the utility should be penalized one percent on equity (or 100 basis points) for its unsatisfactory quality of service. This would result in an approximately \$7,000 reduction in the revenue requirement.

Parties/Staff      Handout  
Internal Affairs/Agenda  
on 12 / 3 / 15  
Item No. 19



**ISSUE 5**  
**USED AND USEFUL**  
**PAGES 18 – 21**

OPC submits that staff's used and useful calculations are overstated.

- The used and useful calculation does not follow the statutory formula. Section 367.081(2)(a)2, F.S., states that property is used and useful in the public service, IF it is:
  - a. needed to serve current customers, or
  - b. needed to serve customers five years after the test year at an ERC growth rate up to 5 percent per year.
- The flows related to the *guaranteed revenues* and the *prepaid commitments* are not permitted by Section 367.081(2)(a)2, F.S. The statutory used and useful formula only allows property needed to serve current customers or customers 5 years after the end of the test year. The guaranteed revenues and the prepaid commitments should be removed from the used and useful calculation.
- The growth allowance is overstated and results in approximately 10% annual ERC growth for the purchased capacity and force main, and approximately 21% annual ERC growth for the primary lift station. As a result, the growth allowance exceeds the 5 percent per year ERC growth rate mandated by statute and should be corrected.
- The adjustment for excessive infiltration should be applied to the used and useful calculation for the interconnection force main and primary lift station.

To conform to the statute, staff's used and useful calculation should be adjusted as shown on OPC's attached used and useful calculation.

If the correct adjustments are applied, OPC believes that the revenue requirement will be reduced by approximately \$457,000.

~~Parties/Staff~~      Handout  
~~Internal Affairs/Agenda~~  
on 12 / 3 / 15  
Item No. 19



Utilities, Inc. of Sandalhaven  
Docket No. 150102-SU  
Test Year Ended: December 31, 2014

Schedule F-10  
Page 1 of 1  
Preparer: Seidman, F.

Explanation: Provide the following information in order to calculate the average growth in ERCs for the last five years, including the test year. If the utility does not have single-family residential (SFR) customers, the largest customer class should be used as a substitute.

Line No.	(1) Year	(2) Beginning	(3) SFR Customers Ending	(4) Average	(5) SFR Gallons Sold	(6) Gallons/ SFR (5)/(4)	(7) Total Gallons Sold	(8) Total ERCs (7)/(6)	(9) Annual % Incr. in ERCs
1	2010	746	725	736	18,568,000	25,245	40,344,000	1,598	
2	2011	725	768	747	19,734,000	26,435	50,180,000	1,898	18.78%
3	2012	768	756	762	19,123,000	25,096	48,350,000	1,927	1.50%
4	2013	756	767	762	19,575,000	25,706	42,888,000	1,668	-13.40%
5	2014	767	788	778	19,164,000	24,648	36,523,000	1,482	-11.19%
Average Growth Through 5-Year Period (Col. 8)								1,744	-1.08%

Note: Above shows total sales (not capped) to WW Customers.

Regression Analysis per Rule 25-30.431(2)(C)

Constant:	1853.339611	-	
X Coefficient:	-46.24063581	1	1,598 Actual
R <sup>2</sup> :	0.143901599	2	1,898 Actual
		3	1,927 Actual
		4	1,668 Actual
		5	1,482 Actual
		10	1,391 Projected
5 year growth			(91)
Annual average growth			(18)
Annual average growth @	-1.08%		(16)

With an R<sup>2</sup> of only 14%, the regression analysis is not a valid indicator of future growth. In addition, the substantial reduction in total gallons sold, even though SFR gallons are relatively stable, is more an indication of instability in MFD (included in General Service) occupancy than of growth patterns. When occupancy increases, so will total gallons sold and thus total ERCs. Compare the pattern of change in total ERCs between 2010 and 2014 to that between 2007 and 2010.

2007	6.48%	2011	18.78%
2008	11.99%	2012	1.50%
2009	15.48%	2013	-13.40%
2010	12.42%	2014	-11.19%
Average	11.59%		-1.08%

If the current pattern is utilized for projecting growth, it will understate the growth the Utility should prepare for and understate rate base as a consequence. A more realistic approach would be to utilize a simple 5% annual growth rate using the average of the 2011-2014 Total ERCs at Line 5, Col. 8 as a base.

Annual Growth capped at 5% per year of 1,744 ERCs (Line 5, Col. 8)	87
5 year growth	436



## Used and Useful Statutory Formula

### Excerpt from Section 367.081, Florida Statutes

#### **367.081 Rates; procedure for fixing and changing.—**

(1) Except as provided in subsection (4) or subsection (6), a utility may only charge rates and charges that have been approved by the commission.

(2)(a)1. The commission shall, either upon request or upon its own motion, fix rates which are just, reasonable, compensatory, and not unfairly discriminatory. In every such proceeding, the commission shall consider the value and quality of the service and the cost of providing the service, which shall include, but not be limited to, debt interest; the requirements of the utility for working capital; maintenance, depreciation, tax, and operating expenses incurred in the operation of all property used and useful in the public service; and a fair return on the investment of the utility in property used and useful in the public service. However, the commission shall not allow the inclusion of contributions-in-aid-of-construction in the rate base of any utility during a rate proceeding, nor shall the commission impute prospective future contributions-in-aid-of-construction against the utility's investment in property used and useful in the public service; and accumulated depreciation on such contributions-in-aid-of-construction shall not be used to reduce the rate base, nor shall depreciation on such contributed assets be considered a cost of providing utility service.

2. For purposes of such proceedings, the commission shall consider utility property, including land acquired or facilities constructed or to be constructed within a reasonable time in the future, not to exceed 24 months after the end of the historic base year used to set final rates unless a longer period is approved by the commission, to be used and useful in the public service, if:

a. Such property is needed to serve current customers;

b. Such property is needed to serve customers 5 years after the end of the test year used in the commission's final order on a rate request as provided in subsection (6) at a growth rate for equivalent residential connections not to exceed 5 percent per year; or

c. Such property is needed to serve customers more than 5 full years after the end of the test year used in the commission's final order on a rate request as provided in subsection (6) only to the extent that the utility presents clear and convincing evidence to justify such consideration.

Notwithstanding the provisions of this paragraph, the commission shall approve rates for service which allow a utility to recover from customers the full amount of environmental compliance costs. Such rates may not include charges for allowances for funds prudently invested or similar charges. For purposes of this requirement, the term "environmental compliance costs" includes all reasonable expenses and fair return on any prudent investment incurred by a utility in complying with the requirements or conditions contained in any permitting, enforcement, or similar decisions of the United States Environmental Protection Agency, the Department of Environmental Protection, a water management district, or any other governmental entity with similar regulatory jurisdiction.

(b) In establishing initial rates for a utility, the commission may project the financial and operational data as set out in paragraph (a) to a point in time when the utility is expected to be operating at a reasonable level of capacity.



Utilities, Inc. of Sandalhaven  
Twelve Months Ended June 30, 2014

**Purchased Capacity Used and Useful Analysis - Average**

Staff Rec  
U&U Calc

OPC  
U&U Calc

		Gallons Per Year	Gallons Per Day	Gallons Per Day
1a	Purchased Capacity (AADF)		300,000	300,000
2a	AADF - WWTP		72,501	72,501
2b	AADF - EWD		63,477	63,477
2c	Guaranteed Revenue Payments (estimated) (2)		12,920	0
2d	Prepaid Commitments (estimated) (2)		152,570	0
2e	Total		301,468	135,978
3a	Wastewater treated (total test year gallons)	49,632,000		
3b	RS WW customer water usage @ 80%	15,474,400		
3c	GS WW customer water usage @ 90%	15,572,700		
3d	Estimated flows returned	31,047,100		
3e	Estimated I&I	26.07%	35,456	35,456
4a	Estimated	ERCs		
4b	Historical Annual Customer Growth			
4c	Statutory Growth Period	Years		
5	Excess I&I		27,158	27,158
6a	Average Twelve-Month Period Customers (1)		873	1,482
6b	Historical Annual Customer Growth		87	74
6c	Statutory Growth Period		5	5
6d	Gallons per ERC (135,978/873) or (135,978/1,482)		155.8	91.8
6e	Growth Allowance (capped @ 25%)		67,755	33,994
7a	Used and Useful Purchased Capacity		111.3%	44.8%

2c = 68ERCs x 190gpd/ERC

2d = 803ERCs x 190gpd/ERC

7a = (2e + 6e - 3e)/1a

Note 1: 2014 Total ERCs Schedule F-10

Note 2: Removed per Section 367.081(2)(a)2., F.S.

~~Parties/Staff~~ Handout  
~~Internal Affairs/Agenda~~  
on 12 / 3 / 15  
Item No. 19



**ISSUE 5  
USED AND USEFUL**

**Purchased Wastewater Treatment Capacity**

	<u>Staff</u>	<u>OPC</u>
Test Year annual average daily flow	135,978	135,978
Growth allowance <sup>(1)</sup>	67,755	33,994
Guaranteed revenue flows <sup>(2)</sup>	12,920	0
Prepaid commitment flows <sup>(2)</sup>	152,570	0
Excessive Infiltration	(35,456)	(35,456)
Projected flows	333,767	134,516
Capacity	300,000	300,000
Used and Useful	100.0%	44.8%

**Interconnection Force Main**

	<u>Staff</u>	<u>OPC</u>
Test Year peak flow	276,000	276,000
Growth allowance <sup>(1)</sup>	137,526	69,000
Guaranteed revenue flows <sup>(2)</sup>	26,228	0
Prepaid commitment flows <sup>(2)</sup>	309,717	0
Excessive Infiltration <sup>(3)</sup>	0	(35,456)
Projected flows	749,471	309,544
Capacity	1,000,000	1,000,000
Used and Useful	74.9%	31.0%

**Primary Master Lift Station**

	<u>Staff</u>	<u>OPC</u>
Test Year peak flow	129,000	129,000
Growth allowance <sup>(1)</sup>	137,526	69,000
Guaranteed revenue flows <sup>(2)</sup>	26,228	0
Prepaid commitment flows <sup>(2)</sup>	309,717	0
Excessive Infiltration <sup>(3)</sup>	0	(35,456)
Projected flows	602,471	162,544
Capacity	500,000	500,000
Used and Useful	100.0%	32.5%

Note 1: Growth allowance = Using 2014 Total ERCs (Schedule F-10)

Note 2: Removed per Section 367.081(2)(a)2., F.S.

Note 3: Infiltration included by staff for EWD but excluded for force main and lift station



Table 10

Utilities, Inc. of Sandalhaven

## Recommended Rate Report

Determination of Non-Used and Useful - Sewer  
For the Test Year Ended 12/31/2010

Line No.	Description	Treatment Plant (1)	Capacity Fees Paid to EWD	Master Lift Station	Forcemain	Pumping Plant	Total Non-Used And Useful Amount Recognized
1	Daily Flow Capacity	150,000	300,000	500,000	1,000,000	275,000	
2							
3	Annual Average Daily Flow	84,505	70,345	70,345	70,345	70,345	
4							
5	Current ERC - Test Year 2010	1,162	445	445	445	445	
6							
7	Current Growth Using Linear Regression	186	186	186	186	186	
8							
9	Growth Cap at 5% per Year (Five Years) (Line 5 x 5.0% x 5 years)	291	111	111	111	111	
10	Adjustment for Growth that Cannot be Treated By the Treatment Plant	(91)	91	91	91	91	
11	Adjusted Growth for Margin Reserve Purposes	199	203	203	203	203	
12							
13	Gallons Per Day Per ERC - Annual Average Daily Flow - (Line 3/Line 5)	73	158	158	158	158	
14							
15	Margin Reserve Allowance Based on 5 Year Growth (Line 9 x Line 11)	14,495	31,999	31,999	31,999	31,999	
16							
17	Current Usage Plus Margin Reserve Allowance (Line 3 + Line 15)	99,000	102,344	102,344	102,344	102,344	
18							
19	Excessive Inflow and Infiltration	9,165	7,630	7,630	7,630	7,630	
20							
21	Adjusted Average Daily Flow with Margin Reserve Allowance (Line 17 - Line 19)	89,835	94,714	94,714	94,714	94,714	
22							
23	Used and Useful Percentage (Line 25/Line 1)	59.89%	31.57%	18.94%	9.47%	34.44%	
24	Non-Used and Useful Percentage	40.11%	68.43%	81.06%	90.53%	65.56%	
25	Recognized Non-Used and Useful Percentage for Rate Filing	0.00%	68.43%	81.06%	90.53%	65.56%	
26							
27	Plant In Service Average Balance 12/31/2010	\$ 979,141	\$ 2,257,118	\$ 535,769	\$ 2,551,605	\$ 104,844	
28	Non-Used and Useful Amount	\$ -	\$ 1,544,514	\$ 434,279	\$ 2,309,932	\$ 68,734	\$ 4,357,459
29							
30	Accumulated Depreciation	\$ 173,352	\$ 406,281	\$ 75,008	\$ 267,919	\$ 22,017	
31	Non-Used and Useful Amount	\$ -	\$ 278,013	\$ 60,799	\$ 242,543	\$ 14,434	\$ 595,789
32							
33	Depreciation Expense	2,224	\$ 90,285	\$ 21,431	\$ 76,548	\$ 6,291	
34	Non-Used and Useful Amount	\$ -	\$ 61,781	\$ 17,371	\$ 69,298	\$ 4,124	\$ 152,574

Parties/Staff Handout  
Internal Affairs/Agenda  
on 12/3/15  
Item No. 19



**ISSUE 12**  
**SALARIES AND WAGES**  
**Pages 31 – 32**

OPC submits that the 1.2 FTE allocation for operator salaries plus the allocated management salaries is too high.

- The utility no longer treats wastewater, sends all flows to EWD
- The utility appears to have not considered lower cost options to maintain the collection system (i.e., EWD, Charlotte County, other contract operators)
- The management salaries allocated to Sandalhaven should decrease as there will be less management required for a pass-through system
- OPC recommends cutting the allocated management salaries in half and reducing the operations salaries to .5 FTE, resulting in an estimated decrease to Salaries & Wages – Employees of \$39,000

OPC submits that the Salaries & Wages – Employees expense be reduced by \$39,000

Parties/Staff      Handout  
Internal Affairs/Agenda  
on 12 / 3 / 15  
Item No. 19