

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for Rate Increase in Water and Wastewater Rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida

DOCKET NO. 160101-WS

RESPONSE OF THE SUMMERTREE WATER ALLIANCE AND ANN MARIE RYAN, AN INDIVIDUAL CUSTOMER OF UTILITIES, INC. TO THE COMMISSION'S REQUEST FOR ELABORATION OF STANDING

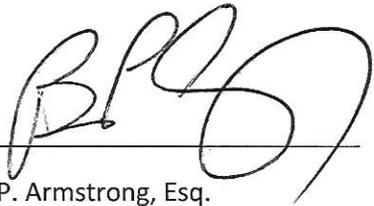
Pursuant to sections 120.569, 120.57(1) and 367.091(2), Florida Statutes, and Rules 25-22.039 and 28-106.205, Florida Administrative Code, the Summertree Water Alliance ("Summertree Alliance") and Mrs. Anne Marie Ryan, a UIF customer, individually, through their undersigned attorney, have filed a Petition to Intervene in the above-captioned docket. In support thereof, and as further elaboration of standing, the petitioners, Summertree Alliance and Mrs. Ann Marie Ryan, individually as a customer of UIF, state as follows:

1. The Commission virtually routinely grants intervention to unincorporated organizations such as the Alliance. See, Florida Industrial Power Users Group and South Florida Hospital Association, Concerned Citizens of Lehigh Acres,
2. The Summertree Alliance represents the 1,120 residents of the Summertree community who have signed letters to protest the mismanagement and inordinately high rates of UIF, many of whom have contributed financially to the Alliance to secure professional representation in this docket. See Amended Petition to Intervene of Summertree Water Alliance and Mrs. Ann Marie Ryan filed in this docket earlier this date, Appendices A and B, for Alliance member letters to Corix, UIF's immediate owner, and British Columbia Investment Management Corporation, majority owner of Corix.
3. Commission order no. 96-0089-PCO-WS, in granting intervention to the Concerned Citizens of Lehigh Acres, simply noted as follows: "Lehigh Acres alleges that it represents approximately 500 households consisting of over 1,000 individuals. In support of its position, Lehigh Acres states that the rate application of Southern States Utilities, Inc. (SSU) includes a request for increased water and wastewater rates to its members and that the substantial interests of its members will be determined by the proceeding."
4. The Summertree Alliance requests that the Commission simply substitute the name "Summertree Water Alliance" for "Lehigh Acres" and the name "Utilities Inc. of Florida (UIF)" for "Southern States Utilities, Inc. (SSU)" in the above-referenced quote and issue a similar order granting the requested intervention by the Summertree Alliance as this proceeding also involves a request that their water and wastewater rates be increased and thus their substantial interests will be determined by this proceeding.
5. Counsel for Summertree Alliance and Mrs. Ann Marie Ryan is aware of no Commission order denying intervention to an individual customer of a water and wastewater utility seeking to invoke her right to intervene when her rates are threatened to be increased by a utility that has provided the poor quality water and even poorer customer service that UIF has provided her for many years.
6. Summertree Alliance and Mrs. Ann Marie Ryan request the Commission to consider when determining whether to grant their intervention, the fact that UIF has owned the Summertree system for more than 20 years. At the time of UIF's purchase of the Summertree system, the

water quality was unsatisfactory and UIF promised to improve it. For more than 20 years, UIF has failed to do so. The Summertree Alliance and Mrs. Ann Marie Ryan must be granted the right to intervene so that they can protect their interest in seeing that they are served quality water that does not threaten their health and safety; an issue much in doubt at the time of this filing and an assurance which UIF management has failed to give to the Summertree Alliance and Mrs. Ann Marie Ryan after recent revelations of sub-standard quality water being provided by UIF.

7. The Summertree Alliance has been formed singularly to represent the interest of its members, customers of UIF served by the Summertree system, and its leaders and members have repeatedly participated in meetings, customer service hearings, letter writing and other activities designed to protect their interests. Thus, the request to intervene in this docket as well. The fact that UIF would even oppose such intervention is testament to the poor customer relations so often exhibited by the utility, UIF, and its management.

WHEREFORE, the Summertree Alliance and Mrs. Ann Marie Ryan, individually and as a customer of UIF, respectfully request the Commission to enter an order granting this Petition to Intervene in the above-captioned docket.



Brian P. Armstrong, Esq.
Law Office of Brian Armstrong, PLLC
P.O. Box 5055
Tallahassee, Florida 32314-5055
Florida Bar No. 888575
Email: brian@brianarmstronglaw.com
Counsel for Summertree Water Alliance

CERTIFICATE OF SERVICE

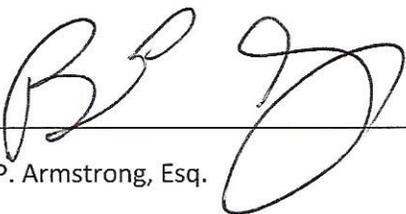
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail to the following on this 27th day of April, 2017:

Director, Division of the Commission
Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(via e-filing: filings@psc.state.fl.us)

Martin S. Friedman
Friedman & Friedman, LLP
766 North Sun Drive, Suite 4030
Lake Mary, Florida 32746
(via e-filing: mfriedman@sflaw.com)

J.R. Kelly, Esq.
Erik Saylor, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400
Kelly.jr@leg.state.fl.us
Saylor.Erik@leg.state.fl.us

dmanson@mansonbolves.com
bbilenky@mansonbolves.com



Brian P. Armstrong, Esq.