

ORIGINAL

MEMORANDUM

November 25, 1997

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FLEMING) J +

RE: DOCKET NO. 971195-WS - APPLICATION FOR TRANSFER OF MAJORITY ORGANIZATIONAL CONTROL OF RAINBOW SPRINGS UTILITIES, L.C., HOLDER OF CERTIFICATES NOS. 311-S AND 355-W IN MARION COUNTY, FROM RAINBOW SPRINGS LIMITED, A FLORIDA LIMITED PARTNERSHIP, TO THE INDIVIDUAL SHAREHOLDERS OF CHASE VENTURES, INC.

Please place the attached letter in the above-referenced docket file.

SRF/lw

Attachment

cc: Division of Water and Wastewater (Johnson, Redemann)

ACK _____

AF1 _____

AF2 _____

C _____

C10 _____

C11 _____

E _____

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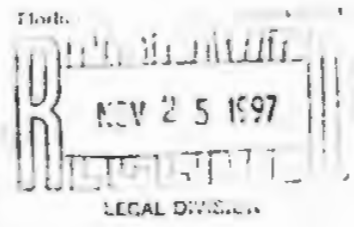
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Mr. Shannon R. Fleming
Staff Attorney
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0810

Re: Rocket No. 971195-WS

Dear Mr. Fleming:

Your letter of November 13, 1997 was appreciated, but somewhat bewildering. It mentions "this Commission received an application for approval of transfer of majority organizational control of Rainbow Springs Utilities L.C. from Rainbow Springs Limited to Chase Ventures Inc." I must assume that the information you impart was derived from sources other than the "Notice" published and delivered to rate-payers in the Rainbow Springs development. The ambiguity of that "Notice" was the basis and reason for my protest to the Commission dated September 25, 1997. Your letter appears to confirm the defects of the "Notice", mentions that a "renotice for clarity" will be published

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by R. S. Utilities L. C., and suggests that such should "alleviate my concerns". To which, may I say, perhaps? Perhaps not! My "concerns" are the legitimate right of the rate-paying public to be accurately informed of actions proposed by a public utility which may have consequences to the rate-paying public.

Because the "Application" in reference was "deficient" as you have noted, and will require a "renotice", I will assume the question of a scheduled hearing becomes moot, until or unless a non-defective "Notice of Application" is filed and published, also subject to responsible protest.

I am also in receipt of a letter from Mr. F. Marshall Peterding, of Rose, Sundstrom & Bentley L.P., in which, among other things, I am advised that "a formal protest will cost the Utility substantial amount of money which will ultimately be borne by the Utility's customers and therefore should be avoided if at all possible." I will be quite surprised if the Public Service Commission would concur that procedural expenses accruing to the defense of a Utility's

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ownership machinations could then be charged back to the rate-paying public whose interest the Commission exists to protect. Perhaps you could enlighten me as to this peril to rate-payers who might have reason to persist in protest of a Utility's proposed action.

Sincerely,
Norman V. Roberts

Norman V Roberts
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