

ORIGINAL

April 12, 1998

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Note: Property Owner, and Customer of Florida Cities Water Company, Barefoot Bay Division:
531 South Dolphin Circle, Barefoot Bay, Florida 32976

REF: PSC Docket No. 971663-WS

Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Director:

Does Florida Cities Water Company's (FCWC) request for recovery of certain legal expenses, from its customers, incurred litigating violation of the Clean Water Act, apply when the only information in support of probable cause in their request is, the final penalty was reduced, and they acted in good faith?

FCWC wants the Public Service Commission to hold the customers liable, for FCWC's liability. If, FCWC was innocent, no fines would have been imposed, and

FCWC wants the Public Service Commission to penalize the customers, because as they say, the Court found FCWC had acted in good faith in its dealings with the state and federal regulators, assuming, "being good should be rewarded." When asked, "How shall the good be rewarded?" Confucius replied, "By punishing the guilty."

Customers are not guilty, so why punish them? The issue is not how significant the dollars, but how significant the justice.

Very truly yours,

ACK _____
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EAG _____
LEG _____
FIN _____
PC _____
RPH _____
SEC _____
WLD _____
Clinton W. Dyer
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CC: Barefoot Bay Homeowner's Association
Mr. Jack Shreve, Public Counsel
Senator Patsy Kurth
Mr. Kenneth Gatlin, FCWC's Attorney

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