

STATE OF FLORIDA

ORIGINAL

Commissioners:  
JOE GARCIA, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

**Public Service Commission**

DATE: April 26, 2000  
TO: Parties of Record  
FROM: Blanca S. Bayó, Director *BSB*  
Division of Records and Reporting  
RE: Docket No. 960545-WS - Investigation of utility rates of Aloha Utilities, Inc. in Pasco County.

This is to inform you that the Commission is reporting the following communication in the above-referenced docket.

- Letter from Representative Mike Fasano dated April 11, 2000.

The letter, a copy of which is attached, will be made a part of the record in this proceeding. Pursuant to Section 350.042, F.S. any party who desires to respond to this communications may do so. The response must be received by the Commission within 10 days after receiving notice that the communication has been placed on the record. Please mail your response to the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

BSB/cp

Attachment

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMW \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- MAS \_\_\_\_\_
- OPC \_\_\_\_\_
- RRR \_\_\_\_\_
- SEC   I
- WAW \_\_\_\_\_
- OTH \_\_\_\_\_

cc: Cathy Bedell-w/letter

DOCUMENT NUMBER - DATE

05211 APR 27 8

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APR 17 2000

FLORIDA PUBLIC SERVICE COMMISSION  
Commissioner Jacobs

**Florida House of Representatives**  
**Majority Floor Leader**

**Mike Fasano**  
Representative, 15th District

**Committees**  
Chair, Health Care Licensing  
& Regulation  
Health & Family Services Council  
Finance & Taxation  
Governmental Operations  
Regulated Services

Reply to:

8217 Massachusetts Avenue  
New Port Richey, FL 34653-3111  
(727) 848-5885  
fasano.mike@leg.state.fl.us

1101 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300  
(850) 488-8528

April 11, 2000

The Honorable Joe Garcia  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

RECEIVED

APR 16 2000

FLORIDA PUBLIC SERVICE COMM.  
Chairman Garcia

Dear Chairman Garcia:

A most disturbing conversation has been relayed to my office via a constituent, Mr. O'Berg of 7851 Craighurst Loop, New Port Richey (727-376-7030). Mr. O'Berg was visited yesterday by Mr. David Porter, the consulting engineer for Aloha Utilities. Mr. Porter made some remarks to Mr. O'Berg that are, in my opinion, unprofessional and border on reckless.

It is my understanding that Mr. Porter's visit to Mr. O'Berg was prompted by Mr. O'Berg's testimony at the March 29, 2000 public hearing at which Mr. O'Berg complained about the quality of water he receives from Aloha Utilities. Mr. O'Berg states that while taking the sample Mr. Porter stated "that Mike Fasano is dragging this whole issue out so he can get re-elected." Mr. Porter also reportedly stated that "the problem [black water] can be solved tomorrow if the PSC gave the same breaks to Aloha as they do to public utilities." Further, Mr. Porter is reported to have said that "the PSC is trying to drive private concerns out of business." Finally, Mr. O'Berg reported that Mr. Porter stated that "Pasco [County Utilities] can do what it pleases, private utilities cannot."

Public Service Commission staff told my staff last week that Aloha Utilities is going to attempt to visit each customer who spoke against the utility at the public hearing. I have no reason to believe that the comments made by Mr. Porter to Mr. O'Berg were made solely to him. If Mr. Porter is making these outrageous and unsubstantiated statements about myself and the Public Service Commission to Mr. O'Berg, I believe it is logical to assume he is making them to all of the customers he is visiting. It is my opinion that a professional engineer should not impugn either my motives or the Commission's efforts to resolve this ongoing problem. Instead, Mr. Porter should concern himself with determining why Aloha's customers have this problem and do something to solve it.

**Florida House of Representatives**  
**Majority Floor Leader**

**Mike Fasano**  
Representative, 45th District

Reply to:

✉ 8217 Massachusetts Avenue  
New Port Richey, FL 34653-3111  
(727) 848-5885  
fasano.mike@leg.state.fl.us

□ 1101 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300  
(850) 488-8528

**Committees**

Chair, Health Care Licensing  
& Regulation  
Health & Family Services Council  
Finance & Taxation  
Governmental Operations  
Regulated Services

The gravity of Mr. Porter's comments prompted me to contact you immediately. I would appreciate any intervention on the Commission's behalf that could put a stop to these allegations made against both myself and the Commission.

Thank you in advance for any assistance you may be able to provide. As always, if there is ever anything I can do for you please do not hesitate to call on me.

Yours truly,



Mike Fasano  
State Representative, District 45  
Majority Floor Leader

MF/gg

cc: The Honorable Susan Clark  
The Honorable J. Terry Deason  
The Honorable E. Leon Jacobs  
The Honorable Lila Jaber  
The Honorable Jack Shreve  
Steve Watford



# Public Service Commission

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

RECORDS AND  
REPORTING

10 APR 25 PM 12: 22

RECEIVED-FPSC

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**DATE:** April 24, 2000  
**TO:** Blanca Bayo, Director, Division of Records and Reporting  
**FROM:** Melinda Butler, Assistant to Commissioner Jacobs *MB*  
**RE:** Communication From an Interested Party Received in  
Docket No. 960545-WS

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This office has received the attached letter of Representative Mike Fasano dated April 11, 2000. Because this letter addresses matters relevant to a pending proceeding, it is necessary to place this memorandum and attachment on the record of the above-referenced proceeding pursuant to section 350.042, Florida Statutes. Please give notice of this communication to all parties of the docket and inform them that they have 10 days from the receipt of the notice to file a response.

## Carol Purvis

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**To:** Jorge Cruz-Bustillo; Bill Berg; Billy Stiles; Melinda Butler; JoAnn Chase  
**Cc:** Kathleen Stewart; Kay Posey; Maria Woodward  
**Subject:** Ex Parte

Commissioner Jacobs has reported receiving a letter from Representative Mike Fasano dated April 11, 2000, regarding Docket No. 960545-WS - Investigation of utility rates of Aloha Utilities, Inc. in Pasco County. We are preparing to distribute this letter to the parties to the matter. Would you please let me know if your Commissioner also received this letter from Rep. Fasano.

## Carol Purvis

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**From:** Billy Stiles  
**Sent:** Wednesday, April 26, 2000 8:57 AM  
**To:** Carol Purvis  
**Cc:** Kay Posey  
**Subject:** FW: Ex Parte

Carol, I was mistaken about our office having already sent the Fasano letter down. We did receive it, however. We also received Mr. Porter's response addressed to Chairman Garcia dated April 13th. And, finally, we received the Chairman's response to Rep. Fasano. Susan has seen none of this correspondence. We will send copies to you for inclusion in the docket file. Have a nice day!

-----Original Message-----

**From:** Kay Posey  
**Sent:** Wednesday, April 26, 2000 8:46 AM  
**To:** Billy Stiles  
**Subject:** RE: Ex Parte

No, I didn't send it down. I don't have it anymore. I gave it back to you because you were going to talk to Susan.

-----Original Message-----

**From:** Billy Stiles  
**Sent:** Tuesday, April 25, 2000 5:31 PM  
**To:** Carol Purvis  
**Cc:** Kay Posey  
**Subject:** RE: Ex Parte

We received the letter also. I think Kay already sent our copy down.

-----Original Message-----

**From:** Carol Purvis  
**Sent:** Tuesday, April 25, 2000 4:24 PM  
**To:** Jorge Cruz-Bustillo; Bill Berg; Billy Stiles; Melinda Butler; JoAnn Chase  
**Cc:** Kathleen Stewart; Kay Posey; Maria Woodward  
**Subject:** Ex Parte

Commissioner Jacobs has reported receiving a letter from Representative Mike Fasano dated April 11, 2000, regarding Docket No. 960545-WS - Investigation of utility rates of Aloha Utilities, Inc. in Pasco County. We are preparing to distribute this letter to the parties to the matter. Would you please let me know if your Commissioner also received this letter from Rep. Fasano.

## Carol Purvis

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**From:** Maria Woodward  
**Sent:** Tuesday, April 25, 2000 4:34 PM  
**To:** Carol Purvis  
**Cc:** JoAnn Chase  
**Subject:** RE: Ex Parte

Our office also did receive the letter BUT Commissioner Jaber did not see it.

-----Original Message-----

**From:** Carol Purvis  
**Sent:** Tuesday, April 25, 2000 4:24 PM  
**To:** Jorge Cruz-Bustillo; Bill Berg; Billy Stiles; Melinda Butler; JoAnn Chase  
**Cc:** Kathleen Stewart; Kay Posey; Maria Woodward  
**Subject:** Ex Parte

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## Carol Purvis

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**From:** JoAnn Chase  
**Sent:** Tuesday, April 25, 2000 4:38 PM  
**To:** Carol Purvis  
**Subject:** RE: Ex Parte

Our office received the letter, but it was not shown to Commissioner Jaber.

-----Original Message-----

**From:** Carol Purvis  
**Sent:** Tuesday, April 25, 2000 4:24 PM  
**To:** Jorge Cruz-Bustillo; Bill Berg; Billy Stiles; Melinda Butler; JoAnn Chase  
**Cc:** Kathleen Stewart; Kay Posey; Maria Woodward  
**Subject:** Ex Parte

Commissioner Jacobs has reported receiving a letter from Representative Mike Fasano dated April 11, 2000, regarding Docket No. 960545-WS - Investigation of utility rates of Aloha Utilities, Inc. in Pasco County. We are preparing to distribute this letter to the parties to the matter. Would you please let me know if your Commissioner also received this letter from Rep. Fasano.