Oct. 08 2008 19:24PM P1

0800 64

080562

FA

AX

Mike Smallridge Utility Consultant 1645 W. Main St. Inverness, FL. 34450



To: Richard Redeman Commission Clerk

Fax number:

From: Mike Smallridge

Fax number: 813-412-3444

Date: 10/8/2008

Regarding:

East Marion Sanitary Systems

Phone number for follow-up:

352-302-7406

Comments:

Please find the 6 attached pages for your review.

COMMISSION CLERK 08 OCT -9 AM 8: 23

FAX NO. : 8134123444

MIKE SMALLRIDGE UTILITY CONSULTANT

1645 W. MAIN ST.

INVERNESS, FL. 34450

352-302-7406

October 8, 2008

Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Fl. 32399

RE: Docket # 080064-WU

Dear Commission Clerk:

Please be advised that customers of East Marion Utilities will be issued a refund in the form of a credit on their bills for the October 2008 billing cycle, with the exception of the refund for a returned check fee that will be addressed in Docket # 080562-WS.

If you have any further questions, please call me direct at 352-302-7406.

For East Marion Sanitary Systems,

Mike Smallridge

Mike Smallridge Utility Consultant & Management Services.

MIKE SMALLRIDGE UTILITY CONSULTANT

1645 W. MAIN ST.

INVERNESS, FL. 34450

352-302-7406

October 8, 2008

Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Fl. 32399

RE: Docket # 080562-WS

Dear Commission Clerk:

In response to the letter of September 15th, East Marion Sanitary Systems submits the following:

- 1. We will correct tariff sheets as advised.
- 2. The Address for the utility should be:
 East Marion Sanitary Systems
 G-4225 Miller Road # 190
 Flint, MI. 48507
- 3. In response to numbers 3 & 4, Requesting the Driver license number and social security numbers of customers is a common business practice that allows for a utility to pursue its legal rights to collect a debt in case of default for services rendered by the utility as required by collection companies.
- 5. This statement is consistent to the rules as bills are sent prior to the end of the month.
- 6. We will change this language from "5 days "to "7 calendar Days" to be consistent with the rule
- 7. The current approved returned check charge is \$ 20.00. We request a change to

- \$ 25.00 along with \$ 8.00 fee as representative of charges from the bank for a total returned check fee of \$ 33.00.
- 8. Corrections will be made as advised.
- 9. Corrections will be made as advised.
- 10. Correction will be made as advised. The "Double service" is for one customer. A larger line is installed and split so that proper valving can be installed providing that each meter has its own shut off valve. In order to provide a fair price for the customer and the utility, the cost was averaged so that the utility could use either contractor. One contractor gave a better bid for the "short insulation" and the other contractor gave a better bid for the "long installation" and given the current state of the economy especially as it pertains to contractors in the state of Florida, we can't be certain who will be in business in the future.
- 11. The Violation reconnection fee is more because of the added time involved and because it is getting more difficult to find someone to do them. The premise visit fee should be higher because we have found it takes 2-3 times longer for a representative of the utility to go to a customer's home and converse with them the problems and a resolution, as compared to a normal or initial connection fee.

Please feel free to call anytime. I look forward to your response.

For East Marion Sanitary Systems,

Mike Smallridge

Mike Smallridge Utility Consultant & Management Services.

FAX NO. : 8134123444 Oct 352 6250661 Oct. 08 2008 10:26PM P5 FROM :

Oct 08 08 02:38p Bea Jordan

ORIGNAL SHEET NO.17 (A)

NAME OF COMPANY: East Marion Sanitary Systems, Inc. WATER TARIFF

IRRIGATION METER INSTALLATION CHARGES

Description		Amount
Short installation (20 feet or less)	5/8"x 3/4"	\$1,500.00
Long installation (20 feet to 40 feet)	5/8" x 3/4"	\$2,000.00
Extra long installation (over 40 feet, or	\$2,800.00	

EFFECTIVE DATE-

TYPE OF FILING-

Herbert Hein Issuing Officer

President Title

FROM:

Oct. 08 2008 10:26PM P6

FAX NO. : 8134123444 UC 352 6250661 Bea Jordan

Oct 08 08 02:38p

FIRST REVISED SHEET NO.19 CANCELS ORIGNAL SHEET 19

NAME OF COMPANY: East Marion Sanitary System WATER TARIFF

CONNECTION/TRANSFER SHEET

EAST MARION SANITARY SYSTEM, INC. G4225 MILLER RD. 48507 FLINT, MICH 48507 Telephone 352/625-0117

· · · · · · · · · · · · · · · · · · ·	EVIEW WOOD:	S Account Number:		*
Customer Name:				 .
Billing Address:				,
Social Security #'s				
				*
Home Phone:		Work Phone (Eme	rgency Only):	•
Cell Phone:	#	E-Mail or Fax:		*
Service Address:				
Block/Lot:		Type: Residential	Commercial	
Bills are mailed on the	last day of each m	onth and arc due upon	receipt.	
month. Customers are disconnection on return assessed to us by the be	notified 5 days be led checks. There link (cash, cashiers non-payment, ther	fore disconnection on o is a \$25.00 charge for r check or money order e is a \$ <u>50.00</u> re-connec	be paid no later than the 20th of endelinquent accounts, and 48 hours returned checks, plus any addition only on returned checks). If waterion charge when performed during	s betore nal charges er service
There shall be no liabil the customer for failure	ity of any kind ago of the customer t	ainst the company by re o pay the bills on time.	eason of discontinuance of water s	service to
Monthly Rates: Water: See Tarriff Sh Sewer: See Tarriff St		Effective : Meter #	Date	
Initial Connection Fee:	\$	Water Main Extens	sion Charge \$	
Deposit:	\$	Water Plant Capac	ity Charge \$	
Conn./Transfer Fee	\$		Extension Charge \$	
Meter installation fee	\$	Waste Water Plant	Capacity Charge \$	
Other Charges	\$	Irrigation Service I	nstallation Charge \$	
-		Irrigation Meter In:	stallation Fee \$	
Total	\$	Paid by Cash or Cl	neck #	
transfer.			rve address to effect water I regulation of this utility, as app	
the Florida Public Serv	ice Commission, a	and does guarantee pay	ment of any and all indebtedness	incurred.
PLEASE FILL IN STA AREAS. SIGN AND I	7, 7	Signature		-
WITH PAYMENT. TI	HANK YOU.	Datc		-
			Herbert Hein Issuing Officer	
			<u>President</u> Title	

95%

FROM:

Oct 08 08:38p

Bea Jordan

FAX NO. : 8134123444 Oct, 08 2008 10:27PM P7

FIRST REVISED SHEET NO.19 CANCELS ORIGNAL SHEET 19

NAME OF COMPANY: East Marion Sanitary System WASTEWATER TARIFF

CONNECTION/TRANSFER SHPET

EAST MARION SANITARY SYSTEM, INC. G4225 MILLER RD. 48507 FLINT, MICH 48507 Telephone 352/625-0117

Subdivision: LAK	EVIEW WOODS	Account Number:	
			76
Social Security #'s			
Drivers License #'s			
Home Phone:		*Work Phone (Emerger	icy Only):
Cell Phone:	*]	E-Mail or Fax:	ncy Only):
Service Address:			*
Block/Lot:		Type: Residential	Commercial
Bills are mailed on the	ast day of each m	onth and are due upon rec	eipt.
month. Customers are a disconnection on return	nonified 5 days be ed checks. There in the (cash, cashiers non-payment, then	fore disconnection on deli is a \$25.00 charge for retu check or money order onl e is a \$ <u>50.00</u> re-connection	aid no later than the 20th of every aquent accounts, and 48 hours before med checks, plus any additional charges y on returned checks). If water service charge when performed during regular
There shall be no liabilithe customer for failure	ty of any kind aga of the customer to	sinst the company by reason pay the bills on time.	n of discontinuance of water service to
Monthly Rates: Water: See Tarriff She Sewer: See Tarriff Sl		Effective Dat Meter #	
Initial Contaction Fee.	•	Water Main Entonsion	Charge \$
Deposit:	\$	Water Plant Capacity	
Conn./Transfer Fce	\$	Waste Water Main Ex	tension Charge \$
Meter installation fee		Waste Water Plant Ca	pacity Charge \$
Other Charges	\$	Irrigation Service Inst	Illation Charge \$
•			ation Fee \$
Total	\$	Paid by Cash or Check	
transfer. The undersigned does	bereby agree to	abide by the rules and re	address to effect water gulation of this utility, as approved by nt of any and all indebtedness incurred.
PLEASE FILL IN STA	RRED (*)	Signature	
AREAS. SIGN AND F		- , 	
WITH PAYMENT. TH	IANK YOU.	Date	
		•	Herbert Hein
			Issuing Officer
			<u>President</u> Title
		•	

Matilda Sanders

PSC-08-0244-CO-WU

From:

Theresa Walsh

Sent:

Thursday, April 17, 2008 11:27 AM

To:

CLK - Orders / Notices; Katherine Fleming

Subject:

Order / Notice Submitted

Date and Time:

4/17/2008 11:26:00 AM

Docket Number:

080064

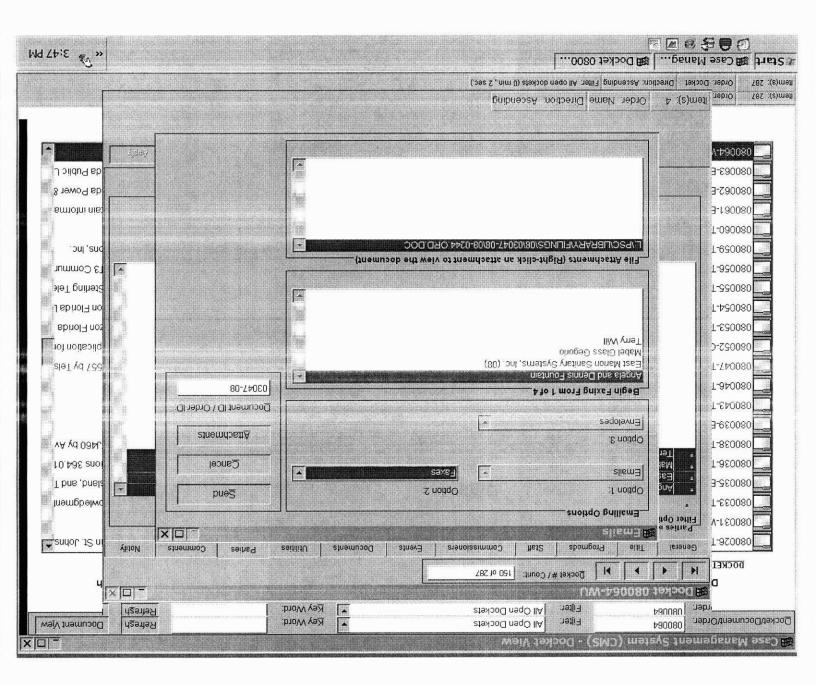
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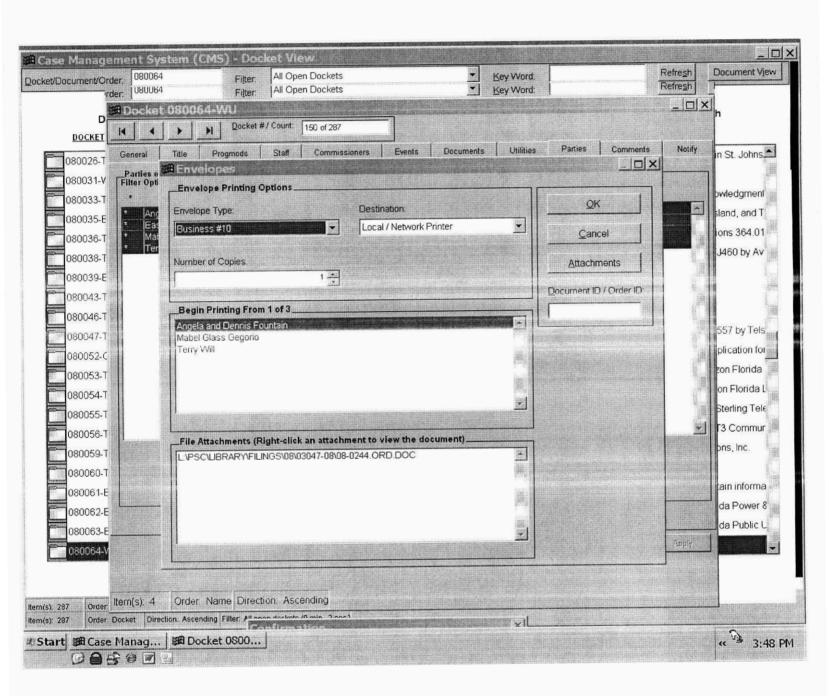
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	MARKET CO.
FPSC, CLK - CORRESPONDENC	Έ
Administrative Parties Consum	ег
DOCUMENT NO. 01571-08	
DISTRIBUTION:	

Please issue the above-referenced Consummating Order in Docket No. 080064-WU today.

1 faxed 3 mailed 0 emailed





Matilda Sanders

PSC-08-0182 -PAA -WU

From: Sent:

Timolyn Henry

To:

Tuesday, March 25, 2008 9:57 AM

CLK - Orders / Notices Katherine Fleming

Cc: Subject:

Order / Notice Submitted

13

Date and Time:

3/25/2008 9:55:00 AM

Docket Number: Filename / Path: 080064-WU

080064.OR.030408.kef.doc

NOTICE OF PROPOSED AGENCY ACTION ORDER REQUIRING REFUNDS

AND
ORDER DECLINING INITIATE TO SHOW CAUSE PROCEEDINGS

State of Florida

ADMINISTRATIVE



Auhlic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

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

DATE: March 3, 2008

TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

FROM: Bridget M. Groom, Assistant to Commissioner Skop

RE: Communication Received in Docket No: 080064-WU – Complaint Against East

Marion Sanitary Systems, Inc.

This office has received the following correspondence:

Tonya M. Simpson from Rose, Sundstrom & Bentley, LLP

The correspondence has not been viewed or considered in any way by Commissioner Nathan A. Skop. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as CEO 91-31-July 19, 1991), the following correspondence does not constitute an <u>ex parte</u> communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an <u>ex parte</u> communication, it does not require dissemination to parties pursuant to the provisions of section 350.042, Florida Statutes. However, in such cases Commissioner Skop has requested that a copy of the correspondence and this memo be, as a matter of routine, placed in the correspondence side of the file in this docket.

Attachment

Cc: William Garner

Roberts Bass Lorena Holley Larry Harris COMMISSION

08 MAR -3 PH 4: 09

DOCUMENT NUMBER-CATE

01571 MAR-38

Mary Macko

From:

Tonya Simpson [TSimpson@RSBattorneys.com]

Sent:

Friday, February 29, 2008 5:21 PM

To:

Kathy Kaproth; Patti Daniel; Richard Redemann; Denise Vandiver; Rhonda Hicks; Katherine

Cc:

Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of the Chairman;

Office of Commissioner McMurrian; Office of Commissioner Skop

Subject:

East Marion Sanitary Systems

Attachments:

_0229171900_001.pdf



)01.pdf (255 l Please see the attached letter.

Tonya M. Simpson Assistant to F. Marshall Deterding Rose, Sundstrom & Bentley, LLP 2548 Blairstone Pines Drive Tallahassee, Florida 32301 (850) 877-6555 PHONE (850) 656-4029 FAX

> DOCUMENT NUMBER - DATE 01571 MAR-38

EAST MARION SANITARY SYSTEMS INC. G4225 Miller Road #190 Flint, Michigan 48507

(352) 625-0117 or (810) 733-6342

Ann Cole, Commission Clerk
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Complaint Against East Marion Sanitary Systems, Inc.; DK 080064-WU Our File No. 37023.01

Dear Ms. Cole:

We recently received the Commission Staff Recommendation in the above-referenced docket, that is scheduled to be <u>considered</u> by the Commission at its March 4, 2008 agenda conference as item number 4.

This Utility is one of the smallest regulated by the PSC with only 98 customers. Therefore, the Utility cannot afford the cost of attending or having representation at the Commission's agenda conference. However, we believe that it is imperative that the Commission have full knowledge of the circumstances in attempting to make their decision in this case. Therefore, we request that this letter serves as the Utility's response to the Staff Recommendation and presentation for the agenda.

While there are numerous issues addressed in the Staff Recommendation, the primary ones on which the Commission needs further information, not provided by the Staff Recommendation, are the errors in application of its tariff's meter installation fee, and the fine issue.

Errors in Applying Tariff Requirements

First of all, the Utility wants to assure the Commission and its staff that the Utility has taken note of the errors in the application of its tariff requirements and is now taking action to correctly conform to its tariff on a going forward basis.

Irrigation Meter Installation Fee

Both the first and second complaints addressed in the Staff Recommendation (issues 1 and 2) deal with charges for installation of separate meters for irrigation service. What the Staff Recommendation fails to note is that throughout the Utility's small territory, two homes are serviced by a single 1" service line that is then split into two 3/4" lines to service each home. If those 3/4" lines are further split so that an irrigation meter can be installed, the pressure is wholly inadequate and the Utility cannot comply with sound utility operating requirements of regulatory requirements. In addition, by DEP rule a back flow preventor must be installed on irrigation DOCUMENT NUMBER TEATE

01571 MAR-38

service lines. Therefore, anytime an irrigation meter is requested, it forces the Utility to go all the way back and tap to the main line and tap it with a new I" service line that must be extended it to the property requesting irrigation service and add an expensive back flow preventor. The Utility has estimates from outside entities for performing these additional taps, in the amount of \$1,545 and \$1,665. Therefore, the charges that the Commission staff is allowing the Utility to impose fall far short of the actual cost incurred by the Utility in providing the additional tap and irrigation meter. The staff notes that the current fees of \$70 for a meter installation fee is inadequate, but is all the Utility can charge, nothing is proposed to correct this problem.

The Commission does have the authority to increase this charge on its own motion or to create a new "irrigation tap-in" charge. The Utility has submitted, as of today's date, a request to increase meter installation fees and other miscellaneous service charges and an additional fee for the estimated cost of tapping the main line as is necessary to provide separate irrigation meters in the future. Until the Commission proposes implementation of a tap fee or otherwise assists the Utility in gaining approval for such a new charge, all of the customers of the Utility will have to fund the substantial additional costs incurred for the required provision of irrigation services to these few individuals.

Based upon the above, it is clear that the cost of extending irrigation service to any individual within the service territory of the Utility, is well above the costs that are currently authorized by the Utility's tariff, and all the Utility has been trying to do is to ensure that the individual requesting these irrigation services pay for the costs required in order to provide those services, rather than have such costs borne by the general body of ratepayers. The Utility understands it should not be assessing charges outside of its tariff, the Utility will do everything in its power to correct that situation. However, because of its extremely small size, it is requesting the Commission's assistance in correcting this inequity immediately and in this case.

Fines

The Commission staff is proposing that the Utility be fined substantial amounts of money, because of its failures related to these issues. This is a very small Utility with very small revenues, and the fines are so large as to render them unreasonable for a company of this small size. If the Commission would propose to show cause the Utility for failure to correct the deficiencies and make the refunds as outlined in the recommendation, under threat of potential future fines, that would be more than enough incentive for the Utility to finalize the corrections and to implement the refunds as proposed by the staff, and we believe no fines should be imposed immediately. If the Commission is willing to do this, the Utility will correct these errors in application of its tariffs immediately and make the required refunds.

Please give these issues your full consideration and recognize that a small utility such as ours is in dire need of some relief, both from the issues related to the cost of providing irrigation service that underly these complaints, and from the fines proposed in the Staff Recommendation.

Thank you for your consideration.

Herbert Hein, President

Jan: 21, 2908

09:53p

East Marion Sanitary

PROPOSAL

EAGLE UNDERGROUND, INC.

Date:

PO: Box: 830909, Ocala, FL 34483-0909 - Office: 352.624:4005 - Fax: 352.624:2488

Subdivision: Lakeview Woods		Faxi	810-73 3- 86 48		
		Pirone:	810-241-8789		
Re: Irrigation Service:		Attn:	Herbert Hines		
We propose the following:					
Description	Chiantity Units	Unit Price	··· Fetal		
1" irrigation service - includes connection to existing main, 1" poly pipe, 1" x 5/8" meter stop, meter box, and 1" above ground back flow preventer	1 LS	\$4,665. 0 0	• \$1, 865,00 -		
		Tötäi	\$7,685.00		
Notes: Permits not included. Prices are good for one year front above. Prices include mobilization, labor and ma	date on this proposal. terials to install service des	scribed above.			
Terms: Net 30 days					
The above quotation is valid for 365 days.	· .				
Mark J. Riaubia	Accepted:				
			,		

HAMLET CONSTRUCTION CO.

4260 N.E. 35th Street OCALA, FL 34479 PHONE (352) 236-3355 FAX (352)236-0038

ATTN: Herb Hein East Marion Sanitary System, Inc.

January 29, 2008

By Fax: (352) 625-0117

RE: IRRIGATION SERVICE REPLACEMENT

WE PROPOSE THE FOLLOWING:

IRRIGATION				
1" PE Tubing Service Line	60	LF	6.25	375.00
Double Water Service - Residential	. 1	EA:	410.00	410:00
3/4" Backflow Preventer Assembly	1	EA	430.00	430.00
Connect to Existing	1	EA	300.00	300.00
			Total	1,515.00
MISCELL AREOUS TO THE TANK				
Sod	10	SY	3:00	30.06
			Total	30.00

NOTES:

- 1) Permits, Testing, Survey work, and certified as-builts by others.
- 2) Erosion Control, Rock Removal, and Traffic Control by others.
- 3) Remove and Replace Unsuitables, Pavement, Concrete, and Fencing by others.

Sincerely,

Charles D. Bell, P.E.

HAMLET CONSTRUCTION, INC.

Section 1 - Office of Commission Clerk

PSC/CLK015-C (Rev. 04/07)

Docket No. <u>080064-WU</u> Date Docketed: <u>01/25/2008</u> Title: Complaint against East Marion Sanitary Systems Inc. by Mabelle Gregorio, and Angela and Dennis Fountain.

Company: East Marion Sanitary Systems, Inc.

FPSC, CLK - CORRESPONDENCE Administrative Parties Consumer DOCUMENT NO. 01571-08

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Official Filing Date:	Expiratio	on:		-					
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and/or deciding this case:	31.								
Full Commission Commission Panel	32. 33.								
Hearing Examiner Staff	34.								
	35.								
Date filed with CLK:			- 						
Initials OPR	37. 38.								
Staff Counsel	39.								
	40.		C.11						
Section 3 - Chairman Completes	Assignment	s are as	TO I I OWS:						
- Hearing Officer(s)				Prehea	ring Offi	cer			
Commissioners Hrg	Staff				sioners	T	ADM		
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the identical panel decides the case. Where one Commissioner, a Hearing Examin	er or a Staff Ma	mher ic		Appro	-				
assigned the full Commission decides the				Date:					

* COMPLETED EVENTS

Section 1 - Office of Commission Clerk

Docket No. <u>080064-WU</u> Date Docketed: <u>01/25/2008</u> Title: Complaint against East Marion Sanitary Systems Inc. by Mabelle Gregorio, Angela and Dennis Fountain, and Terry Will.

Angela and Dennis Fountain Company:

East Marion Sanitary Systems, Inc.

Mabelle Gregorio

Terry Will

Official Filing	Date:		E	xpiratio	n:							
Last Day to Sus	pend:											
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Staff Counsel	K Fleming		8.									
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Date filed with	CLK: <u>02/07/2008</u>		36.							<b></b>		
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Section 3 - Chai	irman Completes			ssignment	ts are as	s follows	; ;					
- Hearin	ng Officer(s)			_			Prehe	aring Of	ficer			
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Exam

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

SK

* COMPLETED EVENTS

PSC/CLK015-C (Rev. 04/07)

ED

MM

AG

ALL

CT

ADM	Commissioners								
1	CT ED MM AG SK								
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	02/07	
Approved:	-U	
Date:	02/07	7