Case Assignment and Scheduling Record
(Staff Assisted Rate Case - "Proposed Agency Action" Process)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Dkt'd 1/10/90

Company SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Dates: Initial Filing 1/10/90 Ofcl Filing _____

8 Months Expire _____

Remarks _____

Docket Title: Application for a staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Referred to: (Check appropriate blocks, circle OPR)

AFA	CAF	CMU	APP	EAG	LEG	RCH	WAS	Other
☒	☐	☐	☐	☐	☒	☐	☒	☐

Section 2 - OPR Completes and returns to RAR in 22 workdays.

Program /Module _____

Related Dockets _____

Staff Assignments

OPR Staff _____

Staff Counsel _____

OCRs ( ) _____

( ) _____

( ) _____

( ) _____

( ) _____

Tentative Hearing Assignments:

	Date	Commissioner(s)
Prehearing		
Hearing		

Completed _____, 198___

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

	Original	1st Revision	2nd Revision
Enter date of this schedule ——→			
Enter scheduler's initials ——→			

After 2nd Revision enter number here ☐

Due Dates

	Original	1st Revision	2nd Revision
1. Forms requesting assistance filed			
2. AFA's initial review report received			
3. Committee meets to discuss report			
4. Approval or denial letter			
5. Audit by AFA requested			
6. Company pays filing fee			
7. Audit performed: Engineering			
AFA			
Generalist			
8. Reports received: AFA (Audit)			
Engineering			
AFA (OCO)			
Gen'list/Audit/Engr.			
9. Comp'l schedule or rev. report dates			
10. Staff reports and rates to Legal			
11. Legal sends reports/rates to company			
12. Company responds to reports			
13. Staff schedules informal meeting with customers			
14. Meeting notice transmitted to company			
15. Informal meeting held			
16. Company files tariffs			
17. Staff recomms delivered: OCR			
OCR			
OPR			
18. Agenda Conference for Proposed Agency Action (PAA)			
19. PAA Order issued			
20. Consummating order or revise CASR			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	WN	GT	HD	BR	ES		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- as Prehearing Officer

Commissioners				
WN	GT	HD	BR	ES

Approved: _____

Date: _____, 198

DOCUMENT NO. 13606-04

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Wilson
Commissioner Gunter
Commissioner Herndon
Commissioner Beard
Commissioner Easley
Executive Director

Deputy Executive Director/Technical
General Counsel
Appeals Director
Legal Services Director
Executive Assistant/Commission Support
Each Party

And a copy to each of the following when checked:

☐ Auditing & Financial Analyst Director
☐ Communications Director
☐ Consumer Affairs Director
☐ Electric & Gas Director
☐ Research Director
☐ Water & Sewer Director
☐ Court Reporter
☐ Other _____

PSC/CMU-4 (Rev. 1/89)

Case Assignment and Scheduling Record
(Case with Unconventional Time Schedule)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Dkt'd 1/10/90

Company SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Ofcl. Date/Filing: (Tent.) 1/10/90 (Final)

Time Constraint/Remarks

Docket Title Application for a staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Referred to: (Check appropriate blocks, circle OPR)	AFA	CAF	CMU	APP	EAG	LEG	RCH	WAS	Other
	X							X	

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program /Module

Related Dockets

Staff Assignments

OPR Staff Lester T. Davis

Staff Counsel Frier

OCRs ( )
( )
( )
( )

Recommended assignments for hearing and/or deciding this case:

- Full Commission ☐
- Commission Panel ☐
- Hearing Examiner ☐
- Staff ☐

This case (will) (will not) require a hearing, to be held at: (location)

Transcript delivery time recommended:

Normal ☐
Expedited ☐
Daily Copy ☐

Completed , 198

Initials: OPR
Staff
Counsel

Time Schedule

Warning: This schedule is tentative and subject to revision

	Original	1st Revision	2nd Revision
Enter date of this schedule →	2/12/90		
Enter scheduler's initials →			
If to be PAA, check here →			

After 2nd Revision enter number here ☐

	Due Dates Original	1st Revision	2nd Revision
1. Monitor payment of			
2. regulatory assessment fees	4/30/90		
3.			
4. Close docket administra-			
5. tively or revise CASR	5/23/90		
6.			
7.			
8.			
9.			
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16.			
17.			
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21.			
22.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners ALL	WN	GT	HD	BR	ES	Hrg. Exam.	Staff
✓							

- as Prehearing Officer

Commissioners WN	GT	HD	BR	ES	ADM
	✓				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: MW/w

Date: 2/16/90

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Wilson
Commissioner Gunter
Commissioner Herndon
Commissioner Beard
Commissioner Easley
Executive Director
Deputy Executive Director/Technical
General Counsel
Appeals Director
Legal Services Director
Executive Assistant/Commission Support
Each Party

And a copy to each of the following when checked:

☐ Auditing & Financial Analysis Director
☐ Communications Director
☐ Consumer Affairs Director
☐ Electric & Gas Director
☐ Research Director
☐ Water & Sewer Director
☐ Court Reporter
☐ Other

PSC/XCM-5 (Rev. 1/89)

5

Case Assignment and Scheduling Rec
(Staff-Assisted Rate Case - "Proposed Agency Action" Process)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Dkt'd 01-10-90 Docket Title Application of Shady Oaks Mobile - Modular Estates, Inc. for a staff assisted rate case

Company SHADY OAKS MOBILE-MODULAR ESTATES INC.

Ofcl. Date/Filing: (Tent.)_____ (Final)_____

Time Constraint/Remarks 15 month statutory deadline - October 4, 1991

Referred to: (Check appropriate blocks, circle OPR)	AFA	CAF	CMU	APP	EAG	LEG	RCH	WAS	Other
	☒	☐	☐	☐	☐	☒	☐	☒	☐

Section 2 - OPR Completes and returns to RAR in 22 work days.

Program /Module_____

Related Dockets_____

Staff Assignments

OPR Staff Lester Landis

Staff Counsel A. Davis

OCRs ( )_____

( )_____

( )_____

( )_____

TENTATIVE HEARING ASSIGNMENTS

	DATE	COMMISSIONER(S)
Pre-Hearing		
Hearing		

Transcript delivery time recommended:

Normal ☐
Expedited ☐
Daily Copy ☐

Completed_____

Initials: OPR PL
Staff Counsel RP for AD

Time Schedule

Warning: This schedule is tentative and subject to revision

	Original	1st Revision	2nd Revision
Enter date of this schedule ——→			
Enter scheduler's initials ——→			
If to be PAA, check here ——→	BL		

After 2nd Revision enter number here ☐

	Due Dates Original	1st Revision	2nd Revision
1. Forms requesting assistance filed.	01-10-90		
2. DAFA's Review Report	02-01-90		
3. Committee meets to discuss	05-23-90		
4. Approval or denial letter	06-07-90		
5. DAFA audit request	06-07-90		
6. Company pays filing fee	07-06-90		
7. Audit report due	09-14-90		
8. Engineering report due	08-31-90		
9. OPR provides Legal with customer notice data	10-15-90		
10. Legal sends notice and reports to company	10-22-90		
11. Customer Meeting	11-28-90		
12. Staff recommendation to Records and Reporting	01-31-91		
13. Agenda Conference - PAA	01-15-91		
14. PAA Order	02-04-91		
15. Objection period expires	02-25-91		
16. Consummating order/ revise CASR	02-28-91		

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners ALL	WN	GT	HD	BR	ES	Hrg. Exam.	Staff
✓							

- as Prehearing Officer

Commissioners WN	GT	HD	BR	ES	ADM
	✓				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: MW/WP

Date: 5/31/90

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Wilson
Commissioner Gunter
Commissioner Herndon
Commissioner Beard
Commissioner Easley
Executive Director

Deputy Executive Director/Technical
General Counsel
Appeals Director
Legal Services Director
Executive Assistant/Commission Support
Each Party

And a copy to each of the following when checked:

☒ Auditing & Financial Analysis Director
☐ Communications Director
☐ Consumer Affairs Director
☐ Electric & Gas Director
☐ Research Director
☒ Water & Sewer Director
☐ Court Reporter
☐ Other _____

PSC/XCM-5 (Rev. 1/89)

Case Assignment and Scheduling Record
(Case with Unconventional Time Schedule)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc. (WS417)

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 8 Mo. Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	LEG	RCH	(WAS)
	___	X	___	___	___	___	X	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: G Shafer, H Landis

Staff Counsel: T Palmer

OCRs (AFA): A Bouckaert
(EXE): D Vandiver
( ):
( ):

Recommended assignments for hearing and/or deciding this case:

- Full Commission X
- Commission Panel ___
- Hearing Examiner ___
- Staff ___

This case (will) (will not) require a hearing, to be held at: (location)

Transcript delivery time recommended:

Normal ___ Expedited ___ Daily Copy ___

Completed Date: _____

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 2

	Due Dates Previous	Current
1. Forms Requesting Assistance Filed	SAME	01/01/90
2. AFA's Review Report	SAME	02/01/90
3. Monitor Payment of Regulatory Assessment Fees	SAME	04/30/90
4. Committee Meets to Discuss	SAME	05/23/90
5. SARC Approval/Denial Ltr	SAME	06/07/90
6.*AFA Audit Request	SAME	06/07/90
7.*Company Pays Filing Fee	SAME	07/06/90
8. Engineering Report Due	SAME	08/31/90
9.*Audit Report Due	SAME	09/14/90
10. OPR Provides Legal with Customer Notice Data	SAME	10/15/90
11.*Legal Sends Notice/Reports to Company	SAME	10/22/90
12.*Customer Meeting	SAME	11/28/90
13.*Transcripts Due (Customer Meeting)	SAME	12/28/90
14.*Staff Recommendation	SAME	01/03/91
15.*Agenda - Regular	SAME	01/15/91
16.*PAA Order	SAME	02/04/91
17. Revise CASR for Monitoring if No Protest to PAA	NONE	03/04/91
18. Prehearing if PAA Protested	NONE	06/28/91
19. Hearing 7/8-9/91 (DS, ES) if PAA Protested	NONE	07/08/91
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	GT	WN	ES	DS		
X							

- Prehearing Officer

Commissioners					ADM
BR	GT	WN	ES	DS	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: TB/wp

Date: 2/21/91

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Beard
Commissioner Gunter
Commissioner Wilson
Commissioner Easley
Commissioner Deason
Executive Director
Deputy Ex. Director/Technical
General Counsel
Appeals Director
Legal Services Director
Ex. Assist./Comm. Support
Each Party

And a copy to each of the following when checked:

___ Administration Director
X Audit. & Finance Director
___ Communications Director
___ Consumer Affairs Director
___ Electric & Gas Director
___ Research Director
X Water & Sewer Director
X Court Reporter
___ Other

PSC/RAR-15 (Rev. 5/90)

* COMPLETED EVENTS

FEB 25 1991
FPSC-RECORDS / REPORTING

Case Scheduling/Rescheduling Advice

February 22, 1991 2:53pm

To:

x	Commissioner Wilson	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Gunter	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
		x	Consumer Affairs Director	x	Staff Contact - **Palmer**

From: Office of Chairman Thomas Beard

Docket No. **900025-WS** Title: **Shady Oaks Mobile - Modular Estates, Inc.**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference		06/28/91	122 - TLH	9:30a.m.
Hearing		07/08 & 09/91	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks: **If protested on 03/04/91.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing			X		X			

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer					

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer				X	

Remarks:

PSC/NAN 8 (2/91)

Case Assignment and Scheduling Record
(Staff-Assisted Rate Case - Protest Received)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Dkt'd 1/10/90 Docket Title Application of Shady Oaks Mobile-Modular Estates, Inc. for a Staff-Assisted Rate Case

Company Shady Oaks Mobile-Modular Estates, Inc.

Ofcl. Date/Filing: (Tent.)_____ (Final)_____

Time Constraint/Remarks 15-Month Statutory deadline October 4, 1991

Referred to: (Check appropriate blocks, circle OPR)	AFA	CAF	CMU	APP	EAG	LEG	RCH	WAS	Other
	☒	☐	☐	☐	☐	☒	☐	☒	☐

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program /Module_____

Related Dockets_____

Staff Assignments

OPR Staff Shafer
Landis

Staff Counsel T. Palmer

OCRs ( ) D. Vandiver
( )
( )
( )

Recommended assignments for hearing and/or deciding this case:

- Full Commission ☐
- Commission Panel ☐
- Hearing Examiner ☐
- Staff ☐

This case (will) (will not) require a hearing, to be held at: (location)

Transcript delivery time recommended:

Normal ☐
Expedited ☐
Daily Copy ☐

Completed 3/5, 1991

Initials: OPR OW
Staff Counsel TCP

Time Schedule

Warning: This schedule is tentative and subject to revision

	Original	1st Revision	2nd Revision
Enter date of this schedule ——>		3/5/91	
Enter scheduler's initials ——>		OW	
If to be PAA, check here ——>			

After 2nd Revision enter number here ☐

	Due Dates	Original	1st Revision	2nd Revision
1.	Protest Received		3/1/91	
2.	Order Est. Procedure		4/19/91	
3.	Informal Conference		4/18/91	
4.	Company files direct		5/6/91	
5.	testimony & exhibits			
6.	Intervenor files direct		6/6/91	
7.	testimony & exhibits			
8.	Staff files direct		6/14/91	
9.	testimony & exhibits			
10.	Prehearing Statement		6/21/91	
11.	Notice of Prehearing		6/14/91	
12.	Conference			
13.	Rebuttal (if any)		6/21/91	
14.	Prehearing		6/28/91	
15.	Notice of Hearing		6/26/91	
16.	Prehearing Order		7/3/91	
17.	Hearing		7/8 & 9/91	
18.	Transcripts		7/26/91	
19.	Briefs		8/9/91	
20.	Recommendation		9/5/91	
21.	Agenda		9/17/91	
22.	Final Order		10/4/91	

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	DS	ES	GT	WN		
		✓	✓				

- as Prehearing Officer

Commissioners					ADM
BR	DS	ES	GT	WN	
	✓				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JB/ow

Date: 3/11/91

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Beard
Commissioner Deason
Commissioner Easley
Commissioner Gunter
Commissioner Wilson
Executive Director
Deputy Executive Director/Technical
General Counsel
Appeals Director
Legal Services Director
Executive Assistant/Commission Support
Each Party

And a copy to each of the following when checked:

☒ Auditing & Financial Analysis Director
☐ Communications Director
☐ Consumer Affairs Director
☐ Electric & Gas Director
☐ Research Director
☒ Water & Sewer Director
☒ Court Reporter
☐ Other

PSC/RAR-15 (Rev. 2/91)

Case Scheduling/Rescheduling Advice

April 8, 1991 2:11 p.m

To:

[x]	Commissioner Wilson	[x]	Deputy Ex. Director/Technical	[x]	Electric & Gas Director
[x]	Commissioner Easley	[x]	Appeals Director	[x]	Records & Reporting Director
[x]	Commissioner Gunter	[x]	Legal Director	[x]	Research Director
[x]	Commissioner Deason	[x]	Auditing & Financial Analysis Director	[x]	Water & Sewer Director
[x]	Executive Director	[x]	Communications Director	[x]	Court Reporter
		[x]	Consumer Affairs Director	[x]	Staff Contact - Palmer

From: Office of Chairman Thomas Beard

Docket No. 900885-WS

Title: **Shady Oaks Mobile - Modular Estates, Inc.**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference	06/28/91	cancelled		
Hearing	07/08 & 09/91	cancelled		
Special Agenda				
Other				

Remarks:

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing			X		X			

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer					

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer				X	

Remarks:

PSC/NAN 8 (2/91)

RECEIVED
APR - 9 1991
FPSC-RECORDS / REPORTING

Case Scheduling/Rescheduling Advice

April 8, 1991 2:11pm

To:

x	Commissioner Wilson	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Gunter	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
		x	Consumer Affairs Director	x	Staff Contact - Palmer

From: Office of Chairman Thomas Beard

Docket No. 900025-WS

Title: **Shady Oaks Mobile - Modular Estates, Inc.**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference	06/28/91	cancelled		
Hearing	07/08 & 09/91	cancelled		
Special Agenda				
Other				

Remarks:

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	GT	DS	WN		
Hearing			X		X			

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer					

	Commissioners				
	BR	ES	GT	DS	WN
Prehearing Officer				X	

Remarks:

PSC/NAN 8 (2/91)

Case Assignment and Scheduling Record
(Case with Unconventional Time Schedule)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc. (WS417)

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 8 Mo. Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	LEG	RCH	(WAS)
	___	X	___	___	___	___	X	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: G Shafer, H Landis

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert
(DDT): D Vandiver
( ):
( ):

Recommended assignments for hearing and/or deciding this case:

- Full Commission X
- Commission Panel ___
- Hearing Examiner ___
- Staff ___

This case (will) (will not) require a hearing, to be held at: (location)

Transcript delivery time recommended:

Normal ___ Expedited ___ Daily Copy ___

Completed Date: _____

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 4

	Due Dates Previous	Current
1.*Forms Requesting Assistance Filed	SAME	01/01/90
2.*AFA's Review Report	SAME	02/01/90
3.*Monitor Payment of Regulatory Assessment Fees	SAME	04/30/90
4.*Committee Meets to Discuss	SAME	05/23/90
5.*SARC Approval/Denial Ltr	SAME	06/07/90
6.*AFA Audit Request	SAME	06/07/90
7.*Company Pays Filing Fee	SAME	07/06/90
8.*Engineering Report Due	SAME	08/31/90
9.*Audit Report Due	SAME	09/14/90
10.*OPR Provides Legal with Customer Notice Data	SAME	10/15/90
11.*Legal Sends Notice/Reports to Company	SAME	10/22/90
12.*Customer Meeting	SAME	11/28/90
13.*Transcripts Due (Customer Meeting)	SAME	12/28/90
14.*Staff Recommendation	SAME	01/03/91
15.*Agenda - Regular	SAME	01/15/91
16.*PAA Order	SAME	02/04/91
17.*Protest Filed (Withdrawn)	SAME	03/01/91
18.*Staff Recommendation on Protest	SAME	03/21/91
19.*Agenda - Regular	SAME	04/02/91
20.*Standard Order	SAME	04/22/91
21. Utility Submits Records Required by Order 24084	NONE	09/03/91
22. Staff Recommendation	NONE	10/03/91
23. Agenda - Regular	NONE	10/15/91
24. Standard Order	NONE	11/04/91
25. Close Docket or Revise CASR	NONE	12/04/91
26.		
27.		
28.		
29.		
30.		
31.		

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	GT	WN	ES	DS		
X							

- Prehearing Officer

Commissioners					ADM
BR	GT	WN	ES	DS	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: TB/wg

Date: 5/07/91

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

Chairman Beard
Commissioner Gunter
Commissioner Wilson
Commissioner Easley
Commissioner Deason
Executive Director
Deputy Ex. Director/Technical
General Counsel
Appeals Director
Legal Services Director
Ex. Assist./Comm. Support
Each Party

And a copy to each of the following when checked:

___ Administration Director
X Audit. & Finance Director
___ Communications Director
___ Consumer Affairs Director
___ Electric & Gas Director
___ Research Director
X Water & Sewer Director
___ Court Reporter
___ Other

PSC/RAR-15 (Rev. 5/90)

* COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	LEG	RRR	(WAW)
	___	X	___	___	___	___	X	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: G Shafer, H Landis

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert

(DDT): D Vandiver

( ):

( ):

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel ___
Hearing Examiner ___ Staff ___

Date filed with RAR: 11/27/91

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 5

		Due Dates Previous	Current
1.	Utility Submits Records Required by Order 24084	SAME	09/03/91
2.	Review of Utl Compliance w/ Orders 24084, 25296	NONE	03/31/92
3.	Staff Recommendation	NONE	04/09/92
4.	Agenda - Regular	NONE	04/21/92
5.	Standard Order	NONE	05/18/92
6.	Case Closing	NONE	06/26/92
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	WN	ES	DS	CL		
X							

- Prehearing Officer

Commissioners					ADM
BR	WN	ES	DS	CL	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: TB/WG

Date: Pending 12/9/91

* COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: J Lingo, S Rieger

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert

(DDT): D Vandiver

( ):

( ):

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 06/26/92

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 6

		Due Dates Previous	Current
1.	Order Establishing Procedure	NONE	07/10/92
2.	Informal Conference	NONE	07/14/92
3.	Testimony - Company	NONE	08/21/92
4.	Testimony - Intervening	NONE	09/28/92
5.	Testimony - Staff	NONE	10/12/92
6.	Prehearing Statements	NONE	11/09/92
7.	Testimony - Rebuttal	NONE	11/09/92
8.	Notice of Prehearing	NONE	11/13/92
9.	Prehearing	NONE	11/23/92
10.	Notice of Hearing	NONE	11/24/92
11.	Prehearing Order	NONE	12/01/92
12.	Hearing 12/9-10/92	NONE	12/09/92
13.	Transcripts Due	NONE	12/24/92
14.	Briefs Due	NONE	01/07/93
15.	Staff Recommendation	NONE	02/18/93
16.	Agenda - Regular	NONE	03/02/93
17.	Standard Order	NONE	03/22/93
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	ES	DS	CL	LA		
		X		X			

- Prehearing Officer

Commissioners					ADM
BR	ES	DS	CL	LA	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: TB/mb

Date: Pending 6/29/92

PSC/RAR-15 (Rev. 10/91) * COMPLETED EVENTS

Case Scheduling/Rescheduling Advice

July 8, 1992 1:49pm

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

Docket No. **900025-WS**

RECEIVED
JUL - 8 1992
FPSC-RECORDS / REPORTING

Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference		11/23/92	B-45 - TLH	1:00p.m.
Hearing		12/9 - 10/92	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks:

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing			X	X				

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer			X		

Remarks:

PSC/NAN 8 (1/92)

Case Scheduling/Rescheduling Notice

July 22, 1992 5:23pm

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

RECEIVED
JUL 22 1992
FPSC-RECORDS / REPORTING

Docket No. **900025-WS** Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference	11/23/92	*11/25/92	*122 - TLH	*9:30a.m.
Hearing	12/9 - 10/92	no change	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks: ***Changed Prehearing date, location and time.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing			X	X				

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X	X					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer			X		

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer		X			

Remarks: **PHO changed to Easley and panel changed to Easley and Beard.**

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: J Lingo, S Rieger

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert

(DDT): D Vandiver

( ):

( ):

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 06/26/92

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 7

		Due Dates Previous	Due Dates Current
1.	Testimony - Company	SAME	08/21/92
2.	Testimony - Intervening	SAME	09/28/92
3.	Testimony - Staff	SAME	10/12/92
4.	Prehearing Statements	SAME	11/09/92
5.	Testimony - Rebuttal	SAME	11/09/92
6.	Notice of Prehearing	SAME	11/13/92
7.	Notice of Hearing	SAME	11/24/92
8.	Prehearing	11/23/92	11/25/92
9.	Prehearing Order	SAME	12/01/92
10.	Hearing 12/9-10/92	SAME	12/09/92
11.	Transcripts Due	SAME	12/24/92
12.	Briefs Due	SAME	01/07/93
13.	Staff Recommendation	SAME	02/18/93
14.	Agenda - Regular	SAME	03/02/93
15.	Standard Order	SAME	03/22/93
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Section 3 - Chairman Completes

CSRA

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	ES	DS	CL	LA		
	X	X					

- Prehearing Officer

Commissioners					ADM
BR	ES	DS	CL	LA	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [signature]

Date: 07/27/92

PSC/RAR-15 (Rev. 10/91) * COMPLETED EVENTS

Case Scheduling/Rescheduling Advice

October 30, 1992 9:50am

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

OCT 30 1992

Docket No. **900025-WS** Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference	11/25/92	no change	122 - TLH	9:30a.m.
Hearing	12/9 - 10/92	12/09/92	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks: ***Changed Hearing to 12/09/92 only.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X	X					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer		X			

Remarks:

PSC/NAN 8 (1/92)

Case Scheduling/Rescheduling Advice

November 10, 1992 9:41am

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

RECEIVED
NOV 10 1992
FPSC-RECORDS/REPORTING

Docket No. **900025-WS** Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference	11/25/92	no change	*106 - TLH	9:30a.m.
Hearing	12/09/92	no change	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks: ***Changed Prehearing location to Room 106.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X	X					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer					

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer		X			

Remarks:

PSC/NAN 8 (1/92)

Case Scheduling/Rescheduling Advice

December 1, 1992 4:32pm

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

Docket No. **900025-WS**

Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference				
Hearing	12/09/92	no change	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks:

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X	X					

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X						

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer		X			

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer	X				

Remarks: **Reassigned Beard as Prehearing Officer; Reassigned Beard as Hearing Officer.**

PSC/NAN 8 (1/92)

Case Scheduling/Rescheduling Advice

December 7, 1992 2:38pm

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

RECEIVED
DEC 7 1992
FPSC-RECORDS / REPORTING

Docket No. **900025-WS** Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference				
Hearing	12/09/92	01/07/93	Pasco County	10:00a.m.
Special Agenda				
Other				

Remarks:

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X	X					

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	BR	ES	CL	DS	LA		
Hearing		X						

	Commissioners				
	BR	ES	CL	DS	LA
Prehearing Officer		X			

Commissioners				
BR	ES	CL	DS	LA
X				

Remarks: **Reassigned Beard as Prehearing Officer; Reassigned Beard as Hearing Officer.**

PSC/NAN 8 (1/92)

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: J Lingo, S Rieger

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert

(DDT): D Vandiver

( ):

( ):

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 12/08/92

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 8

		Due Dates Previous	Current
1.	Hearing	12/09/92	01/07/93
2.	Transcripts Due	12/24/92	01/21/93
3.	Briefs Due	01/07/93	02/04/93
4.	Staff Recommendation	02/18/93	03/04/93
5.	Agenda - Regular	03/02/93	03/16/93
6.	Standard Order	03/22/93	04/05/93
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	ES	DS	CL	LA		
	X						

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

- Prehearing Officer

Commissioners					ADM
BR	ES	DS	CL	LA	
X					

Approved: [signature]

Date: 12/09/92

PSC/RAR-15 (Rev. 10/91) * COMPLETED EVENTS

Case Scheduling/Rescheduling Advice

February 22, 1993 2:17pm

To:

x	Commissioner Lauredo	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Easley	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Clark	x	Legal Director	x	Research Director
x	Commissioner Deason	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman Thomas Beard

RECEIVED
FEB 22 1993
FPSC/RECORDS/REPORTING

Docket No. **900025-WS**

Title: **Shady Oaks Mobile - Modular Estates, Inc.**
(Staff Assisted Rate Case)

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference		05/21/93	106 TLH	9:30a.m.
Hearing		06/04/93	106 TLH	9:30a.m.
Special Agenda				
Other				

Remarks: ***PLEASE SUBMIT A CASR TO SANDY SIMMONS.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing			X	X		X		

Former Assignments

	Commissioners					Hrg. Exam.	Staff
	DS	BR	CL	LA	JN		
Prehearing Officer							

New or Changed Assignments

	Commissioners					Hrg. Exam.	Staff
	DS	BR	CL	LA	JN		
Prehearing Officer		X					

Remarks:

PSC/NAN 8 (1/92)

Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff: J Lingo, S Rieger

Staff Counsel: M Feil

OCRs (AFA): A Bouckaert

(DDT): D Vandiver

( ):

( ):

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 03/05/93

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 9

		Due Dates Previous	Current
1.	Testimony - Company	NONE	03/30/93
2.	Standard Order	03/22/93	04/05/93
3.	Testimony - Staff	NONE	04/20/93
4.	Testimony - Rebuttal	NONE	05/04/93
5.	Prehearing Statements	NONE	05/11/93
6.	Notice of Prehearing	NONE	05/14/93
7.	Prehearing (Escrow)	SAME	05/21/93
8.	Notice of Hearing	NONE	05/28/93
9.	Prehearing Order	NONE	05/28/93
10.	Hearing (Escrow)	SAME	06/04/93
11.	Transcripts Due	NONE	06/18/93
12.	Briefs Due	NONE	06/25/93
13.	Staff Recommendation	NONE	07/23/93
14.	Agenda - Regular	NONE	08/03/93
15.	Standard Order	NONE	08/23/93
16.	Close Docket or Revise CASR	NONE	09/23/93
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Section 3 - Chairman Completes

CSRA

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	BR	CL	LA	JN		
		X	X		X		

- Prehearing Officer

Commissioners					ADM
DS	BR	CL	LA	JN	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JD lss

Date: 03/05/93

PSC/RAR-15 (Rev. 10/91) * COMPLETED EVENTS

Case Scheduling/Rescheduling Advice

March 12, 1993 8:59am

To:

x	Commissioner Beard	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Clark	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Lauredo	x	Legal Director	x	Research Director
x	Commissioner Johnson	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **Feil**

From: Office of Chairman J. Terry Deason

Docket No. **900025-WS**

MAR 11 1993

Title: **Shady Oaks Mobile - Modular Estates, Inc. (Staff Assisted Rate Case)**

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference		05/21/93	106 TLH	9:30a.m.
Hearing		06/04/93	106 TLH	*8:30a.m.
Special Agenda				
Other				

Remarks: ***Hearing time has changed.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing								

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing			X	X		X		

	Commissioners				
	DS	BR	CL	LA	JN
Prehearing Officer					

	Commissioners				
	DS	BR	CL	LA	JN
Prehearing Officer		X			

Remarks:

PSC/NAN 8 (1/92)

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff J Lingo, S Rieger

Staff Counsel L Jaber

OCRs (AFA) A Bouckaert

(DDT) D Vandiver

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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 07/27/93

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 10

		Due Dates Previous	Current
1.	Staff Recommendation - Motion for Reconsideration	NONE	08/05/93
2.	Agenda - Motion for Reconsideration	NONE	08/17/93
3.	Staff Recommendation	07/23/93	08/26/93
4.	Agenda - Regular	08/03/93	09/07/93
5.	Order - Motion for Reconsideration	NONE	09/07/93
6.	PAA Order	08/23/93	09/27/93
7.	Close Docket or Revise CASR	09/23/93	10/27/93
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	BR	CL	LA	JN		
		✓	X		X		

- Prehearing Officer

Commissioners					ADM
DS	BR	CL	LA	JN	
	✓	X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JTD/wg

Date: Pending 8/4/93

PSC/RAR 15 (Rev. 7/87) * COMPLETED EVENTS

Case Scheduling/Rescheduling Advice

August 13, 1993 10:12am

To:

x	Commissioner Beard	x	Deputy Ex. Director/Technical	x	Electric & Gas Director
x	Commissioner Clark	x	Appeals Director	x	Records & Reporting Director
x	Commissioner Lauredo	x	Legal Director	x	Research Director
x	Commissioner Johnson	x	Auditing & Financial Analysis Director	x	Water & Sewer Director
x	Executive Director	x	Communications Director	x	Court Reporter
x	Public Information Officer	x	Consumer Affairs Director	x	Staff Contact - **L. Jaber**

From: Office of Chairman J. Terry Deason

Docket No. **900025-WS**

Title: **Shady Oaks Mobile - Modular Estates, Inc.**
(Staff Assisted Rate Case)

1. Schedule Information

Event	Former Date	New Date	Location	Time
Service Hearing				
Pre-Prehearing Conference				
Prehearing Conference				
Hearing				
Special Agenda				
Other				

Remarks: ***Reassigned for 8/17 agenda.**

2. Hearing/Prehearing Assignment Information:

Former Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing			X	X		X		

New or Changed Assignments

	Commissioners						Hrg. Exam.	Staff
	ALL	DS	BR	CL	LA	JN		
Hearing				X		X		

	Commissioners				
	DS	BR	CL	LA	JN
Prehearing Officer		X			

	Commissioners				
	DS	BR	CL	LA	JN
Prehearing Officer			X		

Remarks: **Reassigned PHO to Clark; reassigned panel to Clark and Johnson.**

PSC/NAN 8 (1/92)

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff	J Lingo, S Rieger
Staff Counsel	L Jaber
OCRs (AFA)	A Bouckaert
(DDT)	D Vandiver
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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 08/24/93

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 11

		Due Dates Previous	Current
1.	Agenda - M/R - Deferred from 8/17/93	SAME	08/31/93
2.	Staff Recommendation	08/26/93	09/16/93
3.	Order - Motion for Reconsideration	SAME	09/20/93
4.	Agenda - Regular	09/07/93	09/28/93
5.	PAA Order	09/27/93	10/18/93
6.	Close Docket or Revise CASR	10/27/93	11/19/93
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS		CL	LA	JN		
			X		X		

- Prehearing Officer

Commissioners					ADM
DS		CL	LA	JN	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JTD/lwf

Date: Pending 9/8/93

PSC/RAR 15 (Rev. 7/87) * COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff J Lingo, S Rieger

Staff Counsel L Jaber

OCRs (AFA) A Bouckaert

(DDT) D Vandiver

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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 09/16/93

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 12

		Due Dates Previous	Due Dates Current
1.	Order - Motion for Reconsideration	SAME	09/20/93
2.	Staff Recommendation	09/16/93	10/07/93
3.	Agenda - Regular	09/28/93	10/19/93
4.	PAA Order	10/18/93	11/08/93
5.	Close Docket or Revise CASR	11/19/93	12/10/93
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS		CL	LA	JN		
			X		X		

- Prehearing Officer

Commissioners					ADM
DS		CL	LA	JN	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JTD/wf

Date: Pending 9/17/93

PSC/RAR 15 (Rev. 7/87) * COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	(APP)	CAF	CMU	EAG	GCL	LEG	RAR	RRR	WAW
	___	X	X	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff D Smith

Staff Counsel D Smith

OCRs (AFA) A Bouckaert, D Vandiver

(WAW) J Lingo, S Rieger

(LEG) L Jaber

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Time Schedule

Case Information

1. Petitioner/Appellant(ant): Shady Oaks Mobile Modular Estates, Inc.
2. Respondent/Appellee(ant): Florida Public Service Commission
3. Intervenor(s):
4. Court or Other Forum: First District Court of Appeal
5. Location of Court: Tallahassee
6. Date Filed with Court: 10/19/93
7. Court's Case No. 93-03339
8. Nature of Action or Suit: Appeals Order No. PSC-93-0542-FOF-WS which is a final order among other things fining the utility an amount equal to rate base.
9. Issue(s):
10. Estimate of Further Commission Action Required:
11. Projected Closing Date: Unknown
12. Remarks/Comments:

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 12/09/93

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	DS	CL	LA	JN	KS		
		X		X			

- Prehearing Officer

Commissioners					ADM
DS	CL	LA	JN	KS	
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Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JDL

Date: 12/09/93

PSC/RAR 15 (Rev. 7/87) * COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Report (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/90 Title: Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/90
Last Day to Suspend: 03/11/90 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff N Bethea, S Rieger

Staff Counsel L Jaber

OCRs (AFA) A Bouckaert, D Vandiver

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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 07/11/95

Initials: OPR _____
Staff Counsel _____

Time Schedule

Warning: This schedule is tentative and subject to revision

Current CASR revision level: 13

		Due Dates Previous	Due Dates Current
1.	Revised CASR Due	07/03/95	01/03/96
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	CL	DS	JN	KS	GR		
	X		X	X			

- Prehearing Officer

Commissioners					ADM
CL	DS	JN	KS	GR	
X					

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: SFC/wj

Date: ~~Pending~~ 7/19/95

PSC/RAR-15 (Rev. 1/95) * COMPLETED EVENTS

Case Assignment and Scheduling Record

Section 1 - Division of Records and Repo g (RAR) Completes

Docket No. 900025-WS Date Docketed: 01/10/1990 Title: Application for staff-assisted rate case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.

Company: Shady Oaks Mobile-Modular Estates, Inc.

Official Filing Date: 01/10/1990
Last Day to Suspend: 03/11/1990 Expiration: _____

Referred to: ("()" indicates OPR)	ADM	AFA	APP	CAF	CMU	EAG	GCL	LEG	RAR	RRR	(WAW)
	___	X	___	___	___	___	___	X	___	___	X

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Program/Module A1(b)

Staff Assignments

OPR Staff N Bethea, S Rieger

Staff Counsel L Jaber

OCRs (AFA) A Bouckaert, D Vandiver

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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
Hearing Examiner ___ Staff ___

Date filed with RAR: 02/09/1999

Initials: OPR _____
Staff Counsel _____

Time Schedule

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT. IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770
Current CASR revision level

14

		Due Dates	
		Previous	Current
1.	Close Docket or Revise CASR	01/29/1999	01/29/2000
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	GR	DS	CL	JN	JC		
	X		X	X			

- Prehearing Officer

Commissioners					ADM
GR	DS	CL	JN	JC	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____

Date: 02/09/1999

PSC/RAR-15 (Rev. 1/98) * COMPLETED EVENTS

Commissioners:
MICHAEL M. WILSON, Chairman
GERALD L. (JERRY) GUNTER
JOHN T. HERNDON
THOMAS M. BEARD
BETTY EASLEY

State of Florida

STEVE TRIBBLE, Director
Division of Records & Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

February 19, 1990

To : All Interested Persons

From: Steve Tribble, Director of Records & Reporting

Re : Original Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Director of Records & Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

1/8/90 - Revised

DOCUMENT NO.
13664-04

SHADY OAKS MOBILE – MODULAR PARK, 1702 Hwy. 39 S., Zephyrhills 33540; 782-2686; 240 mobile homes; pets – no elephants; adult park; Amenities; covered shuffleboard, swimming pool, clubhouse, therapeutic pool.

Feb 28-90

Carrol and I feel Mr Sims should furish his own water for the swimming pool, office, and watering the ground around his own land he also take water from here to his home in Tampa.

Who well furish ~~water~~ meters. If we are force to go to meters we do not want Dick Sims or any body he picks

Also who set the rates?

The reason we want the water lines Check is because Dick Sims has had a meter on to check how much water is used in the park, he has water leaks thru out the park.

The County of Pasco has given Mr Sims many many warnings about the water and sewage.

over

Mr Sims, told us if we would give $35.00 a Mo. th he would fix my things up and he didn't, he hasn't done a thing with $25.00 a month what the Judge handed down, he has lied thur his teeth about things he would do

Thank you
Mr & Mrs Carrol Meeusen
3524 Castle Dr

Commissioners:
MICHAEL M. WILSON, Chairman
GERALD L. (JERRY) GUNTER
THOMAS M. BEARD
BETTY EASLEY
FRANK S. MESSERSMITH

State of Florida

STEVE TRIBBLE, Director
Division of Records & Reporting
(904) 488-8371

Public Service Commission

September 20, 1990

Shady Oaks Mobile-Modular Estates, Inc.
Attn: Mr. Richard Sims
38616 Shady Oaks Drive
Zephyrhills, FL 33540-6526

Dear Mr. Sims:

Docket No. 900025-WS -- Shady Oaks Mobile-Modular Estates, Inc.
Staff-assisted Rate Case Audit

The enclosed report is forwarded for your review.

The audit report and any company response filed with this office within ten (10) work days of the above date will be forwarded for consideration by the staff analyst in the preparation of a recommendation for this case.

Thank you for your cooperation.

Sincerely,

Steve Tribble

ST/FD/sp
Enclosure

FROM: Robert M. and Dorothy K. BIRD
38553 Monet Drive
Zephyrhills, Florida 33540
(813) 788-1196

Shady Oaks
Lot 18, Block C
(unrecorded)

TO: Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

RE: DOCKET NO. 900025-WS
Application of Shady Oaks Mobile-Modular Estates, Inc. for staff assisted rate case in Pasco County

We have carefully reviewed the following documents pertaining to this case: the application for staff assisted rate case by Shady Oaks Mobile-Modular Estates, Inc. (SOMME), document number 00298 dated January 10, 1990; the memorandum dated September 20, 1990, an engineer's report prepared by Hank Landis; and the memorandum dated October 15, 1990, a report prepared by Denise Vandiver, economic analyst.

We offer the following comments and questions:

BACKGROUND: Item 10 of the restrictions and covenants recorded in 1972 by Mr. Richard Sims, owner of Shady Oaks Mobile-Modular Estates, Inc. states:

> "A yearly charge of $300.00, payable in advance, will be made for water, sewage, cable TV and Recreational Center including shuffleboard court."

Since that time, SOMME has received $300 annually from each of its homeowners. Without going into the various court cases ordering compliance by Mr. Sims, we submit the following acts of non-performance of contract, which we believe to be true:

Cable TV has never been provided.

The clubhouse is badly in need of repair and has been for some time; the owner provides only electric and water, and has on occasion failed to do even that.

The shuffleboard courts are also in need of repair. The surface of the courts has been maintained and paid for by the residents since 1987.

The pool was taken out of service by the owner in 1986. In 1988 the homeowners made and paid for repairs to put the pool in operation.

The entrance to the park was landscaped through homeowners' contributions and labor since 1988; they also provide the maintenance. Prior to that time it had been let go and was becoming an eyesore.

Garbage pickup was discontinued in 1979, except to those who paid extra. The same is true of street lights, which the residents now pay for directly to the county.

Street paving (implicit in each resident's property purchase) was never completed in phase two of the development. Mr. Sims refused to fulfill his obligation in this regard. In 1988, a group of individual property owners paid approximately $25,000 to have these streets paved. Although Mr. Sims owned six lots with frontage on these streets, he refused to pay for his share of the paving. Maintenance of the streets in the entire park since that time has been provided and paid for by the residents.

For the past two or three years Mr. Sims has posted a disclaimer stating he does not carry insurance on these facilities and will not be held liable for injuries occurring on his property.

In his application (on page 8), Mr. Sims stated he had 178 customers in 1986 and 179 in 1987. At $300 per year per customer, this would amount to an annual income of over $53,000. Even using the figures that the PSC allowed for utility income in the previous rate case (Docket No. 840360-WS) of $22.54 per customer per month, he would have had an income of $48,000 plus. On pages 3 and 4 of the application, combined revenues show only $31,392 in 1986 and $28,814 in 1987. The percentage of SOMME total income applied to utilities service was 59% in 1986 and 54% in 1987. We question where the balance of this income was applied? The only service being provided by the owner, besides water and sewer, was electricity to the recreation hall and pool, and that was reflected in Mr. Sims statement of operating costs.

In the engineer's report, he states (on page 2) that 23 customers are voluntarily paying $35 per month in support of the utility. These customers were actually receiving other services from Mr. Sims, including garbage pickup. This was discontinued by Mr. Sims in August, 1990.

On page 6 of his report, Mr. Landis states that he interviewed several customers with regard to quality of service. May we ask who they were? Only a small percentage of residents were in the park during July and we have not been able to locate anyone who was interviewed.

On page 11, concerning unaccounted for water - some of that should be allocated to the pool, jacuzzi, recreation center, and to the laundromat Mr. Sims provides on the premises as a revenue producing facility. Also, as Mr. Landis points out on page 10, tap water was used for gas chlorination at the sewer plant, and water consumption at the sewage treatment plant was not metered. Was that taken into consideration?

198 GPD/ERC has been allocated to customer usage. This figure multiplied by 185 existing customers = 36,630 GPD pumped. If the Table of Average Home Water Consumed Per Day (attached) is at all representative, then this community would realistically only use 20,905 GPD, even assuming there were 2 people in every household, and every house was occupied year round.

Economic Analysis

Issue 1: Is the quality of service satisfactory?

We have been residents of Shady Oaks since November, 1986. Water service (with the exception of the test year, which was markedly improved) has been inconsistent, running from good to almost non-existent. In that time frame there were many outages. Even now the pressure varies considerably. The engineer's report took notice that the PSC records were checked for complaints and none were found. This was because the residents of Shady Oaks were not aware of the PSC's complaint line. In the spring of 1987 particularly, there were constant water outages and extreme pressure reductions for a period of several months. Our complaints at that time were addressed to the local health departments and to the DER, who worked with us. Its records should show numerous complaints about service.

Issue 5: Should the cost of the projected plant improvements be included in utility plant in service?

According to the engineer's report, and stated in Issue 3, both water and wastewater facilities are 100% used and useful. We presume that to mean operating to capacity. If this is so, are the rate payers expected to share the costs of plant expansion to accommodate the development of the remainder of the park? Sewer and water lines have already been run to a portion of these lots. We do not believe costs for expansion should have to be paid by existing customers.

Also, on page 6, paragraph 1 - "Staff does not believe that the retirement of the old pond is through any negligence on the part of the owner"... Does the DER agree that there was no fault on the part of the owner? If it does, why did it fine him so heavily? And why were there so many directives from the DER to Mr. Sims for non-compliance? For over 5 years, the DER has been ordering improvements, and Mr. Sims seems to have been ignoring them. It is our belief that the utility's current state of disrepair is due to neglect of maintenance by Mr. Sims. We believe he should be REQUIRED to produce true and accurate maintenance expense records from 1972 forward so that a comparison can be made between costs and revenues.

Further, was the contract for the sale of 4.65 acres in 1985 consummated? What was the exact location of that acreage? Who was the seller and who was the buyer? $48,000 per acre seems to be an excessively high valuation for the site of the new pond. This site is included in Tract 1 of Shady Oaks and is currently valued by the Pasco County Tax Appraiser at an average of $11,804 per acre FMV.

Issue 6: Who owns the land?

The statement (Par.1, staff analysis) that transferring the entire utility from the mobile home park to a separate entity..."will assist in accounting for the utility separately as well as protecting the property from any liens due to unpaid property taxes on the remaining property." According to the Pasco County Tax Office, Department of Delinquent Taxes, subdividing the property does not protect it from liens and the properties are still considered to be one tract for delinquent tax purposes. There is a lien against Tract A for $16,500 by Nationwide Mutual Fire Insurance Company, as well as liens by Fleetwood, Fashion Pools and the DER. This is the property that the well and the pump house are situated on. It was subdivided in October, 1990, but carries tax liens from 1983 to the present. Tract A is scheduled to be sold at tax auction on January 17, 1991.

The property that the present sewer facility occupies, as well as the proposed expansion, is a part of Tract 1, which also carries tax liens from 1983 forward. The present sewer facility has been subdivided out (October, 1990) and there is no application for a tax deed at the present time, but the property is subject to that liability.

Issue 12: What is the appropriate amount and cost rate for long term and short term debt?

Is all of the debt to be assigned against the utility? Shouldn't it be pro-rated between the utility and SOMME?

Issue 15: Staff analysis, page 14, par. 2)

If the two customers with additional empty lots are not connected to the system, why should they be required to pay for the service? If these two lots <u>are</u> included in the rate base, why do you not also include the remaining empty lots in the developed section (phase 1 and 2), as well as the unsold lots (with sewer line in place) in the undeveloped portion (phase 3) of the development? You would then be dividing the costs among 242 lot owners as opposed to 185.

Can you explain to us what you mean by annualized revenues prior to adjustment for increased rates?

Issue 16:

We believe the appropriate level of operating expenses to be grossly inflated.

Purchased Power: We believe that the electric service should be placed on separate meters for the utility, the office, and the recreational facilities.

Contractual services: Was a contract maintenance service used by

the utility prior to the test year? If not, the use of contract service figures seems to have the effect of inflating utility costs by approximately $11,000 for the test year. (3217 + 7488 = 10,705)

Issue 22: Does the Commission have the authority to increase the water and wastewater rates and charges?

We believe you will find that 6,000 gallons/month/customer is an overly optimistic figure and that actual usage, as will be accurately shown by meters, will find Mr. Sims operating at a considerable reduction in income. Will the resulting adjustment in rates THEN be JUST, FAIR, COMPENSATORY AND NOT UNFAIRLY DISCRIMINATORY TO THE RATE PAYERS?

If the Public Service Commission is empowered to set utility rates regardless of the courts' decisions upholding $25 for services fee, does this not have the net effect of invalidating the deed covenant requiring payment of the fee, since the proscribed services are no longer being provided? Mr. Sims himself, in requesting PSC help in an assisted rate case, seems to be violating this covenant which also applies to him.

While you are setting up the structure for the owner of the utility to recoup his investment (page 23), will there also be a PSC mechanism to monitor the utility's physical and financial performance? And will the rate payers have guaranteed access to the utility's records and financial statements?

Are we required to purchase services from S & D Utility Company?

Issue 23: What is the appropriate rate structure and what are the recommended rates?

Our question concerns the rate of return on investment. Most businesses with which we are familiar expect a profit of about 6% in today's economic structure, utilities included. We believe that a 13.42% rate of return on investment seems overly generous, especially for a protected utility.

Question: Are the costs of meters, meter installation and meter reading incorporated into the rate base as described? And how is it that Pasco County can provide meters for 40% less?

IN CONCLUSION:

In addressing these issues, we believe, as the Public Service Commission does, that flat rates and unmetered service are not conducive to conservation. We are not objecting to a metered base rate/gallonage system; neither are we objecting to a FAIR rate structure.

WE ARE OBJECTING to rewarding Mr. Sims for past errors in judgment and for his inability to provide documentation to prove the

accuracy of his figures. We question the accuracy of much of the information and data used in determining the rate structure.

WE ARE VERY MUCH CONCERNED ABOUT MR. SIMS' ABILITY TO MANAGE A UTILITY COMPANY FOR THE PUBLIC GOOD.

We have no reason to believe that Mr. Sims will amend his manner of doing business and dealing with his customers. Therefore, if the Public Service Commission is empowered to act for the public welfare, and does not intend to compensate the utility owner for mismanagement, then why not use that power to disenfranchise the present utility owner/operator and allow the rate payers to connect with nearby county facilities?

Robert M. Bird

Robert M. Bird

Dorothy K. Bird

Dorothy K. Bird

November 28, 1990

Date

ESTIMATED

AVERAGE HOME WATER CONSUMPTION PER DAY

GALLONS PER DAY	OCCUPANCY	
	1 PERSON	2 PERSONS
Toilet flushes (4 gallons per flush)	32	64
Dishes	5	10
Cooking	2	3
Laundry	5	10
Lawn watering	15	15
Showers	4	8
Car wash	3	3
Total gallons per day	66	113

Household with 1 person occupancy x 30 days = 1,980 gal./month

Household with 2 persons occupancy x 30 days =3,390 gal./month

RE: Shady Oaks Mobile-Modular Estates, Inc.
Docket No. 900025-WS

1. Is or will the owner of the water and sewer facilities at Shady Oaks Mobile-Modular Estates, Inc. licensed by the Public Utility Commission?

2. Who will read the so-called meters?

3. There have been no park services in out three years in this park. No laundry area, pool in disrepair until taken over by the residents, and the streets paved by the residents.

4. As there are no other services any resident using their home only six months each year pay $50.00 each month for the water and sewer.

5. The owner of the Shady Oaks Mobile-Modular Estates refused to cooperate in April 1990 when a water valve needed replacing. He backed out on his promise to shut off the water at a given time.

   When we returned to Florida there was water damage in the bathroom because the water was not shut-off.

Betty & Edward Peasley
38608 Monet Dr.
Zephyrhills, FL 33540

813-972-3933

6. Every city we have lived in, the Public Utility owned the meters and they were placed on the right-of-way.

Betty A Peasley

Re: Shady Oaks Filed application for a staff assisted rate 9/20/90

Question: Metered water and sewer

We bought in Shady Oaks November '89. Our attorney contacted Mr. Sims, and was told we had to pay $300.00 per year in advance for services including water and sewer. This we did at our closing. Now, after one year, we are faced with a very different situation. Do we have no alternative to the present proposal as stated by this application? What happens to our $300.00 per year if you grant Mr. Sims this new meter system?

Is Mr. Sims responsible to start a new utility company? Having investigated on the County level, we find several liens against his properties. It appears that his ability to operate a new utility company, if granted, would be in question. If he is granted this responsibility of a new utility company, who monitors it? Who reads meters? If there is a problem who solves that problem?

There is a property tax lien against this very building for over $23,000.00 to be sold at public sale on Jan. 19, 1991.

Mr. Sims quotes a figure of $68,817.00 per acre as the worth of his land for the new sewer site. He intends to buy this from himself and charge that amount back to the people of Shady Oaks. The County's fair market value of property is $11,000.00 per acre.

There are many items in this report that we have read, that we would question as true expense.

As we said at the beginning, we have not been in this park for only a year, but we would like to be treated as was so stated when we came.

County water lines run very close to this park. Is this not a possibility?

All aspects should be studied before a decision is made, we believe.

Ben I. Weld

Mary C. Weld 11/26/90

Ben I. Weld

38449 Willoughby Dr.
Shady Oaks Park
Zephyrhills, Fl. 33540

11/28/90

For the short time (2 years) that we have lived in Shady Oaks there have been many water problems.

First of all, the quality of the water has been very poor most of the time. Some days the water had a very chemical taste and then other days more like swamp water.

Without any previous warning the water would be shut off leaving us to wonder about the condition of our hot water tanks.

My husband and I do not object to meters being installed but feel that since he is disabled and on a fixed income, as most of the residents are, we can hardly afford to bear the burden of this additional expense.

We do not know Mr. Simms that well but going by his previous record, we do not feel that his handling of this water problem is not for our best interests.

Dorothy & Robert Heis
3620 Castle Dr.

NOV. 28, 1990

1. WHO ARE THESE PEOPLE AND WHAT ARE THERE CREDENTIALS.
2. WHOM DO THEY REPRESENT.
3. WE HAVE A COURT ORDER TO HONOR OUR COVETENCE TO THE YEAR 2000
4. IF OUR COVETENCE IS BROKEN WILL THIS HAVE TO GO TO COURT OF LAW.
5. IF ALL AGREE TO A CHANGE, WHAT PROTECTION WILL ALL HOME OWNERS HAVE THAT INCREASES WILL NOT OCCUR WHENEVER THE UTILITY FEELS LIKE RAISING THEM.
6. WILL THE UTILITY CO BY PASCO COUNTY RATE
7. IF METERS ARE INSTALLED WILL THE UTILITY PAY FOR INSTALLATION.
8. OUR COVETENCE CHARGE IS NOW $300.00 A YEAR WILL THIS STILL HAVE TO BE PAID PLUS OUR NEW RATES

SHADY OAKS

3634 MULLER DR. ZEPHYRHILLS, FL.

HOME OWNERS George Bishop AND
Frances Bishop

May 24, 1985

PUBLIC SERVICE COMMISSION, UTILITIES DIV.
101 East Gains
Tallahassee, Fl. 32301
ATT: Bruce Deterding Ref: Water System in Shady Oaks Park

After reading the enclosed article,"STATE MAY SET FEES ON UTILITIES" from the East Pasco Tribune, Wed. May 22nd, we ,as residents, are very much disturbed that Shady Oaks Park developer is trying another angle to continue his harassment of us. We are senior citizens who paid our money to him and now he is doing everything imaginable to break his written contracts to us.

He hasn't made any improvements or spent any of our monthly maintance fee on the park since 1980. The club house ceiling is falling in and water just pours in when it rains. The toilets and water faucets all leak. He turned out the lights, disconnected the air and heat, and refused to clean up the swimming pool. Last Summer he put a junk fence around it and made NO entrance. The streets were never completed.

This was all promised to us with our deeds. WE OWN OUR LOTS. After several law suits, with a favorable result in our favor he is still disobeying the law. It is just not right to be treated this way. We are all between 65 and 85 years old and only want what we paid for, and then be left to enjoy our retirement.

Please do not approve anything that will make things worse.

Frank Mallon
~~10~~ Stafford Dr. 33540
34546 Zephyrhills, Fl. ~~33248~~

CC: Bob Graham
Gov. State of Florida

Public Service Commission

Docket No. 90025-WS

STATEMENT BY HERBERT J. McCLAIN at the hearing of the staff-assisted rate case for Shady Oaks Mobile-Modular Estates, Inc.

Dated November 28, 1990

With reference to the memorandum prepared by Denise Vandiver, dated October 15, 1990:

Page 3: The quality of service has been reasonably satisfactory since final judgment with the DER was signed by Judge Cobb. We do have occasional interruptions of the water system, apparently due to the negligence of the operator.

Page 5: The memorandum agrees on the 4 acres of land for the new percolating pond location to be $193,988, or $48,497 per acre. This value is not realistic for this area.

Land on the north side of the entrance to Shady Oaks is now for sale at the asking price of $125,000 for 3.78 acres, or $33,088 per acre. It then follows that the price per acre could be further reduced from the asking price. Without a reduction in price, the value of the land for the new pond would be reduced $61,636 for the 4 acres. Since the owner is anxious to recover his investment in the 3.78 acres, it seems realistic that an offer of $100,000 might be accepted. This would then result in a reduction of $83,348 in the price stated in the memorandum.

The memorandum states that Mr. Sims provided a sales contract for the sale of 4.65 acres in 1985 at $68,817, indicating a sale of the property. The fact is that Mr. Sims never sold the property. The 3.78 acres now for sale is a part of the 4.65 acres referred to in the Sims sale contract. Actually, the property was purchased for the delinquent taxes.

Property along the west side of Highway 39 has been for sale for several years without any sales, except delinquent taxes sales. The PSC staff should consider the area of growth in the Zephyrhills area is north and west of the village. South of the village remains stagnant, which certainly affects the value of the property along Highway 39. Even the county tax appraiser values the land at under $16,000 per acre.

The indications are that the by-pass from Highway 301 to Highway 54 East will have little effect on land values for years to come. Truckers state they will not use it extensively as it ends up in the middle of nowhere.

Page 6: The present percolation pond occupies approximately one acre of land, according to staff. The fenced-in area around the pond consists of approximately 2.1 acres. In the past the acreage around the pond has been used for cattle and goat pasture, and for storage of motor homes and travel trailers. Since a lot of the land exclusive of the pond was used for things other than waste-water, is it necessary to purchase four acres of land for the new

pond? As I understand it, the new pool will be 2½ times as large as the present pool. Why then isn't 3 acres of land adequate?

Page 13: A fair return on capital investment should not exceed 10%. This is supported by an article in the Tampa Tribune's Business and Finance Section dated November 23, 1990. Mortgages are now averaging 9.93% for 30 years. I am sure most of the customers of the utility would be more than satisfied with a 10% return on their personal investments.

Page 16: Mr. and Mrs. Sims are both part-time employees of the utility. Businesses do not customarily provide free hospitalization policies for part-time employees. In fact, many businesses, both large and small, avoid fringe benefits by the use of part-time employees. In my 20 years experience in the field of employee relations, I can state that payment for hospitalization for part-time employees is the exception, rather than the general practice. From time to time Mr. Sims has employed part-time workers and I do not believe he can produce any evidence that he paid for their hospitalization insurance.

Page 17: The employment of Mathis Water and Wastewater, Inc. to operate the sewer plant at $350 per month (to increase to $450 per month) is rather odd. At a bankruptcy hearing before Judge Paskay, involving Mr. Sims, an inspector of water and wastewater systems from either the DER or Health Department testified under oath that he could teach a person with reasonable intelligence to operate the Shady Oaks sewer plant in 15 to 30 minutes. Is the employment of this company now being employed to assist in the building of a high base rate, only to be replaced later with cheaper employees?

Page 17: The staff engineer recommends the utility should have an increase of $1700 per month for preventive maintenance. No one can disagree that preventive maintenance is a good idea. But unfortunately, in the 14 years I have lived in Shady Oaks, I have yet to observe any preventive maintenance. Even when we were paying a monthly fee of $35.00, and later $40.00 in the late 70's and early 80's, maintenance didn't change. Apparently preventive maintenance is not in the makeup of the present owner. Presumably, the additional monies for this purpose will probably wind up ~~owner~~'s ~~pocket~~.

Page 18: Allowing $250 for rent for the office at Shady Oaks is not in line with rents in this area. Part of the office is used by a real estate company. The remainder can hardly be called an office. It is in poor condition with a very poor entrance. I doubt if it could be rented to anyone as an office in its present condition. As a comparison, fairly modern duplex apartments can be rented, furnished, for $200 per month in Zephyrhills.

Page 18: Considering the amount allowed for transportation including car insurance, apparently this is mostly for travel to the office from the owner's home in Tampa. Transportation to and from work is definitely a personal cost and should be eliminated from the cost applied to the rate structure. The trip would involve a minimum of 50 miles to and from the office. Transportation after Mr. Sims reaches Zephyrhills would only be a few miles each day,

plus he does not appear at his office more than 50% or 60% of the time. The test period does not truly represent a fair criteria for transportation, as I tend to believe Mr. Sims has been traveling extensively to accumulate figures to build up the rate structure as high as possible for PSC study.

Page 20: It is proposed to include taxes and assessments in the rate structure to avoid a risk that the utility could be ~~lost~~ to the tax collector. Who is going to police the payments? Does the PSC have any way to insure the customers of payment? As a matter of fact, PSC is doing the customers an injustice by including taxes in the rate structure. To lose the property in question to the tax collector could be one of the greatest benefits ever received in Shady Oaks. It would be most difficult to find ourselves in a worse situation than with the present owner.

In conclusion: Actual experience speaks louder than words. I must then conclude that it is questionable whether our service will improve under present management. A fair rate for our utilities, competitive with surrounding small water and wastewater utilities is not objectionable. Since the Public Service Commission is an impartial agency, should we not expect a more balanced evaluation than has been proposed?

Herbert J. McClain

3738 Muller Drive
Zephyrhills, FL 33540
(813) 788-2644

TO THE PUBLIC SERVICE COMMISSION

RE: Docket No. 900025-WS - application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County

Homeowners in Shady Oaks are bound under a deed covenant recorded by Mr. Richard A. Sims, owner of Shady Oaks Mobile-Modular Estates, Inc. in 1972 requiring payment of $300 annually in return for services consisting of water, sewer, cable TV and recreational center including shuffleboard court. I believe Mr. Sims has violated the services part of the contract and allocated income solely to water and sewer. I question his credibility in this regard, in that he received income in excess of $53,000 in both 1986 and 1987 and applied less than 60% in either year to utilities, ($31,392 in 1986 and $28,814 in 1987). Is he capable of meeting PSC expectations in the operation of a utility for the public welfare?

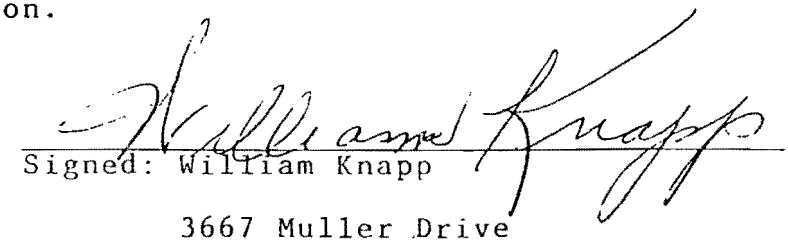
As a corporation, does Shady Oaks Mobile-Modular Estates, Inc. have the legal right to sell the utility to someone else (i.e. Richard and Caroline Sue Sims) without first offering it to the homeowners?

Is the PSC aware that the utility owner purposely destroyed his original records?

Are you considering the welfare of the residential customers in Shady Oaks in allowing S & D Utility Company to provide service and in establishing rates based on what I believe to be inaccurate information supplied by Mr. Sims?

I understand Shady Oaks Mobile-Modular Estates, Inc. is a Sub-chapter S corporation and does not pay any income tax. If you are basing your rate case on figures supplied from Mr. Sims' personal income tax, this does not reflect the corporation's income. A thorough and detailed audit by a Certified Public Accountant should be required in this case.

The land being considered for the new pond is located in a low use, low priced, slow-moving, undeveloped area. It is my opinion that the PSC has greatly overvalued the fair market value of the acreage under consideration.



Signed: William Knapp

3667 Muller Drive
Zephyrhills, FL 33540
(813) 782-7702

I am also the owner of the properties in Shady Oaks located at 3658 Muller Drive, 3702 Muller Drive, 3717 Muller Drive, and 38509 Cone Drive.

RE: - DOCKET # 900025-WS. NOV 27, 1990

AS A RESIDENT OF SHADY OAKS SINCE 1977, I AM CONCERNED ABOUT OUR JUDICIAL SYSTEM. WE HAVE BEEN THRU (2) COURT CASES AND ARE AGAIN FACED WITH BREAKING THE COVENANTS BY MR SIMS. REMEMBER - IT WAS HE WHO WROTE THEM.

MR. SIMS HAS NEVER IN THE PAST OBEYED ORDERS HANDED DOWN BY THE COURTS, WHAT COULD WE EXPECT IN THE FUTURE?

AS MEMBERS OF THE PUBLIC SERVICE COMM'N WOULD YOU HIRE THIS MAN TO RUN YOUR AFFAIRS? LOOK AT HIS RECORD.

1. LOST 3 COURT CASES
2. LIEN ON ALL HIS PROPERTIES
3. CONTINUALLY THREATENS BANKRUPTCY.
4. RECEIVED JAIL TIME FOR NOT COMPLYING TO COURT ORDERS
5. WE AS RESIDENTS HAVE NEVER SEEN THE GREAT PROMISES FULFILLED SUCH AS: STREET CLEANING
   POOL MAINTAINANCE
   CLUB HOUSE MAINTAINANCE
   FACILITIES FOR R.V.'S + BOATS
   GARBAGE PICK UP
   STREET LIGHTING
   ETC. ETC. ETC.

I PERSONALLY WOULD NOT HIRE THIS MAN TO READ METER LET ALONE, ACT AS PRESIDENT OF A UTILITY. (P.S. I WAS A UTILITY EMPLOYEE FOR 36 YRS).

I ALSO FIND THE REPORT TO BE CONFUSING, AS I'M SURE MOST EVERYONE ELSE DOES.

PLEASE REMEMBER - THESE ARE SUPPOSED TO BE OUR GOLDEN YEARS. I COULD GO ON BUT YOU MUST MAKE A DECISION, MAY THE LORD GUIDE YOU

RONALD F. KOHL

Ronald F. Kohl

Nov 28, 1990

We are Sylvia & Laurence Van Gelson of 3559 Castle Dr Shady Oaks Park. We make these statements and ask these Questions of the Pasco County Service Commission.

N.I Capital Structer Page 12

Why is these debts of Mr Sims and his son shown or Considered in this report. What was the money used for? It was not used to better or upkeep of Shady Oaks in the 6 yrs we have lived in this park sewer & Water is all we have recieved for the 300.00 a yr Charge Each home Owner on South Castle, Stafford And Monet streets pd $400.00 ea. for the roads to be top Burfaced but of their own pocket many have given an additional Amount to fill the pot holes on other Areas of the Park. The front entrance rocks shrubs & plants were pd from the Association fund & work done by residents. Sims drained the pool & let it set no water, Residents got permission to Clean paint and repair it with money from each house hold all labor was donated & the Residents have been paying for all Chemicals used in pool The upkeep of shuffle Courts, Each resident

Rakes + sweep streets in front of his lots
Each resident has to pay yearly for the
street lights. Recently home owners reroofed
the Cabanas at the pool area. At one time
the water service was so bad even yet we
keep jugs of Water in each bathroom in
Case of low pressure or no Water I admit the
past year has been better maybe because of the
testing by you or Whoever. So why should these
debts that evidenty were not money spent here
be assessed to us.

Question #2 to P.S.C. Did this Service Commission
ever take into Consideration that the lots
each home sits on no longer belongs to Mr
Sims. He sold + recieved the money for each
lot If Mr Sims so intended for this park
to provide a long term income he should
have Rented not sold the land to each
individual homeowner. So why should
each homeowner pay in Water + Sewer Charges
to pay all Mr Sims + his corp debts
mentioned on page 12. Also how many
Parks that the P.S.C. been involved in
setting Rates were Parks where the
developer has sold and not Rented
the lots. This Commission should have
taken this in Consideration in our personal belief

Question 3. page 18 Why should the residents be assessed for Automobile Insurance and repairs. Even big Industry does not pay the laborer Car Insurance and repairs. Where I worked never did

Question 4. Did the P.S.C Contact any home owners in Shady Oaks park to find out if all debts & bills Mr Sims reported were moneys spent here.

Question 5. Did the P.S.C. Take into Consideration the best interest of this park, no 1 for the Residents or no 2 Mr. Sims. We as a majority I believe would rather Recieve Water & Sewer from the County. As the meter Readers and employees would be qualified to do the jobs required. We personally do not feel Mr Sims or Mrs Sims are qualified to do the Reading of the meters. We do not believe Mr Sims is qualified to administer this business of selling utilities. If he was so, we do not think that all this land he is supposed to own in here would be up for Tax sale.

Question 6. Who assessed the value of the 4.65 a in 1985 & set the price at 68,817 per Acre? It isnt Beach property

Question 7. Regulatory Exp on page 18
What does it mean liability Insurance as Mr Sims has had rights up the whole 6 yrs we have lived here. We at our own risk no Insurance.

Question 8
With the Service Commission rescinding the Judicial Circuit upholding of the restrictive Covenants. What does this do to the Current deeds of each lot. Does this make our deeds null + Void? or of no Value to the Current Owner.

Question 9 Page 7 In the Memorandum
In Issue 23! Why did the Service Commission allow Mr Sims the price of 18,500, To Charge for the meters. Where did they get this figure from.?

Page 29. Do I understand you propose each household to pay a Charge of $1,200 for the percolating pond plus a $200. Charge for water in this price over and above the $42.22 a month estimate?

Like the Engineer Consider in his Report the Lakeside Pines and Wells Lake Point Running and Winding. Then they have to Lay a Long line and Have Lights on the Entrance. Will Sims Pay Their share of an Assessment From the Entrance to their Land?

Question 10. My final Question

Are you the Pasco County Commision a tax supported office? If so you are supported by our tapes. Are you hired to represent the tax payer of Pasco County. If so why didnt you suggest in these reports it would be to the advantage of the tax payer in this part to apply for County Water and sewer Instead of Shady Oak Utilities. Mr Sims does not even live in Pasco County. And I doubt if there is many homes or lots that are occupied that have delinquent tapes. Like the majority of the ones Mr Sims Owns.

Zephyrhills Fl
Nov. 28, 1990

Florida Public Service Commission
Re: Utility Rates Shady Oaks

We are concerned with rates for water and sewer for Shady Oaks Mobile Modular Estates.
Due to Mr. Sims neglect of the water and sewer system the expenses he presents are high. Why should we have to pay for his neglect? Know this is only one of many questions residents would like answered.

Ruth L Cole + Ralph W Cole
38440 Willoughby Dr
Zephyrhills, Fl 33540

Nov. 25, 1990

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Dear Sir:

This letter is in reference to:

"Docket No. 900025-WS-Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County."

As I understand it, this is a sworn statement, therefore, these are statements of truths and real concerns with the proposed new water system.

Since we moved here in Aug. 1988, we have paid $25.00 monthly, which supposedly covered water, sewer, roads, Clubhouse, swimming pool, and shuffleboard use and maintenance. We have had assume many of Mr. Sims' responsibilities to see that things are fixed, repaired or replaced. We have tried very hard to keep harmony in the Park. We have had pot holes in the roads in front of our homes, in front of the Clubhouse, in the Parking lot, and in front of Mr. Sims' Office on Shady Oaks Dr. . These have remained for week after week until finally some homeowner has bought materials and repaired the holes himself.

We have watched the Clubhouse and surrounding buildings deteriorate further and further. Some of us have offered to repair or replace the roofs of these buildings if he would just furnish the materials. We have made this offer many times over the past year and as of Nov. 25, 1990 we have received no follow thru on this from Mr. Sims.

The roof of the Shuffleboard Court is in really bad shape with at least one large hole in it. A group of our men just went ahead and completely repaired the roof on the cabana of the swimming pool a few weeks ago because it had so many leaks in it.

The Swimming Pool was drained by Mr. Sims in Feb. of 1989 and was left with just rainwater, lots of tadpoles and frogs for over two (2) months until we asked Mr. Sims what he intended to do about the pool and he replied "Nothing, I don' have any money, I may just plant a palm tree in it." Then, some homeowners got together and drew up an agreement for Mr. Sims' signature, in which the homeowners agreed to do cleaning, painting and refilling of the pool and to maintain the chemicals, check the pool every day, and take care of replacing all filters and general upkeep of the pool, which we have continued to do since May, 1989. [illegible] is included with this letter.

Docket No. 90025-WS-Application

We have seen the homeowners take on more and more responsibility for the upkeep and maintenance of Shady Oaks Park. We know a little something about painting buildings and cutting grass and repairing roofs. However, we don't know anything about maintaining and running a water and sewer system. It is difficult to realize what the problems are or might be. We are very concerned with our water and sewer system and would certainly desire that it be properly maintained and cared for. In my mind, we have been paying our $25.00 for water and sewer that's been done by Mr. Sims. I notice you're proposing to allow Mr. Sims a 13% profit margin if the new system goes in. I wonder what his profit margin has been these last 2 years with things the way they've been since we've been here? If the Public Service Commission allows him to put in water meters and allows him to break the covenants and establish basic water rates, I assume we will end up paying considerably more than the $25.00 per month. So, I'm sure the homeowners will not be willing to fix things or take care of water leaks themselves as they have in the past.
What recourse will we, as homeowners, have? Can we expect the Commission to take action and make sure problems are taken care of promptly if Mr. Sims lets problems drag on days, weeks, or months? I'm speaking of problems such as:

1. Leaks that go on for long periods of time.
2. Water pressure that is continously low.
3. Roof on pump house is never fixed.
4. The new septic pool is never put in.
5. The septic pool should have an odor that is too offensive.

Or, would our only recourse be to sue Mr. Sims as it has been in the past?

My husband and I were not living here in the former years when the homeowners sued Mr. Sims and the court cases were won but it seems to me that after homeowners have spent many thousands of dollars, we are right back where we started with the very same problems, plus a few more.

Finally, this is a retirement community and with just one (1) or two (2) people per household, we don't use a large amount of water for our personal use. We do use quite a large amount of water, however, for our lawns and shrubs. I don't see anything fair or just about charging us a sewer charge for water that goes on our lawns and never goes thru the treatment system. I would certainly hope and trust that an allowance would be made for a certain amount of water use that will not be going thru the septic system.

Thank you for your time and attention to this letter.

Sincerely,

Frances L. Miller

Frances Louise Miller

Leonard N. Miller

May 7 1990
~~April 25, 1990~~

Mr. Richard Sims
33616 Shady Oaks Dr.
Zephyrhills, Florida, 33540

Dear Mr. Sims:

We are a group of concerned homeowners in Shady Oaks who are willing to volunteer to assist you in the repair and Maintenance of the pool area. We will help to drain, clean, paint and repair pool and Jacuzzi. Also, we will help with the chemicals that are needed for the pool.

We will not be liable or responsible for any damage, mishaps or accidents that may occur at, in, or around the pool at any time including when it is being cleaned and readied for use as well as in the future use of the pool and Jacuzzi.

It is agreed for both parties (concerned homeowners and Richard Sims) will have a key to the pool house at all times.

The existing rules and regulations of the pool will continue to apply and all will try to see that they are enforced.

This agreement between the Concerned Homeowners and Mr. Sims (park Owner) does not in any way affect or interfere with Court Orders, Covenants and Restrictions, or any agreements between Shady Oaks Homeowners Association, Inc. and Mr. Richard Sims.

If at any time anything is done to interfere with the upkeep of the pool, this agreement becomes null and void.

We agree to assist you in maintaining the pool as this states for a period of ~~two~~ (2) years. If all goes well, we can renegociate at that time.

If the above conditions are agreeable to you, please sign your full name and return as soon as possible.

Concerned Homeowners

Joanne Beaman, Acting Chairman

Richard D. Sims, Park Owner

!!-28-90

Charles C. Kent
38522 Stafford Drive
Shady Oaks Park
Zephyrhills, Fla. 33540

To
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Attn. Docket No. 900025-WS
Application of Shady Oaks Mobile Modular Estates Inc.
Customer Meeting 11-28-90

My Questions and Comments:

It is interesting to note in your case background that Circuit Court of the sixth Judicial Circuit upheld the restrictive covenants, included in the deeds of existing lot owners receiving service from Shady Oaks Mobile Modular Estates Inc.

The case background also notes the Staff engineer investigation included an in house evaluation of the application and a field inspection of the utility and its service arear.

This investigation should reveal that Shady Oaks is a very troubled PARK, and has been for soume time.

It should reveal that the only service houme owners receive for their $300.00 yearly fee is WATER and WASTE WATER TREATMENT, and that costa for all other services are being born by home owners.

T It is shocking to learn that six lot owners pay nothing.

I submit to the Florida Public Service Commission that if you over-rule the Courts decision and break the contract between Richard Sims and Shady Oaks Park Home owners, That you will represent the best interest of Shady Oaks Park home owners as well as the Utility.

Would it be a better solution for Shady Oaks Park to be connected to the County water and Sewer lines?

As a home owner in Shady Oaks Park I respectfully request that the Florida Public Service Commission make a cost study of connecting the park to the County WATER and SEWER lines, and submit the costs to Shady Oaks Park Home Ownersbefore making any final decision.

In conclusion if a Water and Waste Water fee is assessed over and above the $300.00 per year that home owners now pay, and will they still be obligated to pay the $300.00 per year fee, and what services will they receive?

Respectfully Submitted/
Charles C. Kent
Charles C. Kent
Home Owner Shady Oaks Park

FROM: CHARLES McCLELLAND SHEET # 1 OF 3
38603 MONET DRIVE
SHADY OAKS ESTATES.

BESIDES THE $300.00 ($25.00 PER MONTH) FEE PAID I FOUND NO MENTION WAS MADE, IN ANY OF THE REPORTS, OF THE OTHER BENEFITS RECIEVED BY BY SHADY OAKS ESTATES FROM THE HOME OWNERS, OR THE LAUNDRY BUSINESS (LOCATED IN THE REC. BLDG.) AND HOW MUCH WATER IS USED & THE WASTE WATER TREATED FROM THE LAUNDRY.

HERE IS A PARTIAL LIST OF BENEFITS, NOT MENTIONED IN YOUR REPORTS, THESE ARE IN ADDITION TO THE $300.00 FEE. THE HOME OWNERS OF SHADY OAKS HIRED A CONTRACTOR TO SAND BLAST AND PAINT THE 8 SHUFFLEBOARD COURTS. ($1600.00) THE HOMEOWNERS CLEAN & MAINTAIN THE COURTS.

WE HIRED A PAVING CONTRCTOR TO RESURFACE 5 OF THE ROADS IN THE PARK ($25,000) WE ALSO SEAL COATED THESE ONE ROADS ($1000). SOME HOMEOWNERS MOW THE VACANT LOTS NEXT TO THEIR HOMES. WE FILL THE POT HOLES IN THE OTHER ROADS. SOME OF THE HOME OWNERS DO THE LANDSCAPING & MAINTAIN THE ENTRANCE TO THE PARK.

SEE SHEET #2

CWLU

OTHER HOME OWNERS HAVE DRAINED, CLEANED & PAINTED THE SWIMMING POOL. THEY ARE ALSO MAINTAINING THE POOL.

WE HAVE PURCHASED NEW CARPETS, DRAPES LIGHT BULBS, EXIT SIGN BULBS, SMOKE DETECTORS, ETC, FOR THE REC. BLDG. WE ALSO HIRED A CLEANING PERSON TO CLEAN THE REC. BLDG. THE MONEY FOR THE ABOVE COMES FROM CONTRIBUTIONS FROM THE HOMEOWNERS & ARE A DIRECT BENEFIT TO SHADY OAKS ESTATES.

I DON'T FEEL THE AMOUNT OF WATER USED IN THE SWIMMING POOL, CLUB HOUSE, LAUNDRY & THE SHADY OAKS ESTATES OFFICE SHOULD HAVE BEEN CONSIDERED IN THE AVERAGE OF WATER USED BY THE CUSTOMERS.

WHAT RECOURSE DO WE HAVE IF THE UTILITY, AFTER IT RECEIVES ITS NEW RATES, FAILS TO PROVIDE THE SERVICE PAID FOR??

WHAT SIZE METERS WILL BE INSTALLED FOR RESIDENTIAL USE?

SEE SHEET # 3

CWMC

I FIND IT HARD TO BELIEVE THAT THE PSC WOULD GRANT A RATE INCREASE TO THE SHADY OAKS UTILITY WHEN THE KNOW OF THEIR HISTORY OF MANAGEMENT PRACTICES. IF THE P.S.C. HAS OUR "BEST INTEREST AT HEART" THEY WOULD HAVE CONSIDERED THE PASCO COUNTY SYSTEMS. WE UNDERSTAND THAT THEIR SYSTEMS ARE CLOSE BY.

Charles W. Hatchett

Nov.@4,1990.

To Director,Division of Records & Reporting.
Florida public Service Commission.
Re:Docket # 900025WS.
Application of Shady Oaks Modular-Mobile Home Estates for Staff assisted rate case in Pasco County.

Dear Sir:Re.Report from Denise Vandiver,Economic Analyst.

Quality of service.

1-If the quality of service is judged by the lack of reasonable pressure and number of water shut-offs,the answer is POOR.Pump failure and line breaks have caused many unnanounced shut offs.

2.The method of clorination must be faulty. The taste of the water at certain periods each day,is so strong as to almost cause nausea!

Salaries & Wages.

1.Most residents pay Mr.Simms once per month and manyonly semi-yearly or yearly,therefore it would seem that 10 hours per week for Mrs.Simms bookeeping is overestimated.

2.Mr.Simms certainly does not spend 30 hours a weekattending to water & sewer facilities.The Staff recommendation of 10 hours is much more realistic.

General.

The electrical feeds for the Clubhouse,Mr. Simms office,and the sewer & water facilities,presently all on one meter must be separated for fair billing.

I feelthat any data compiled during the so called "test year"must be questioned.There have been many leaks in the water distribution system.Some of these have gone unrepaired for monthsat a time.This is not the responsibility of the residents and the consequent electrical & maintenance charges should not be billed to them.

Yearly water usage cannot be calculated by October to April usage since most residents are absent the other five months.

re:Hank Landis engineering report.

Vegitation around the sewer plant has only been cleared once a year after numerous complaints of nearby residents.

TO WHOM IT MAY CONCERN:

We have lived in this park for 16 years (1974) and have experienced more water problems than during the previous 60 years of our lifetime. In the summer when the park population is at its lowest, we experience pressure losses of 50% to a low point of no pressure at all, on many occasions. It is impossible to remedy the situation, because Sims lives off the property. Water is shut off any time he desires without notice. Rumor will say he will shut off water on a given day, and nothing happens on that day, but maybe 2 days later it is shut off. Those things happen in Shady Oks, because Sims is the final authority.

Sims has been in violation with the DER for two years, for polluting the environment. He has installed overflow pipes on the sewer system, which discharges on to neighboring property. The DER has cited and fined him for these practices. This violation has been documented (PHOTO) by people in the park and the evidence presented to DER.

The loans Sims claims in the report are not documented. Could they have been for the purchase of a car, or repairs to his swimming pool at his home in Tampa, or whatever????

The item in which Sims wants compensation and Medical Insurance for himself and his wife is ridiculous. Where in the world would a person who will work 10 hours per week qualify for such benefits, or even expect them.

The price which your Agency approved for the land (which he is selling to himself), because nobody would buy it at any price (when it was posted for sale) is also ridiculous. I am sure that land in Zephyrhills can be purchased at much lower rates per acre, than you have allowed Sims to charge himself. In fact a similar piece of land, which was originally a part of this park (lost because of non-payemnt of taxes), is now for sale at approximately $125,000.00 for a 3.4 acre tract.

In conclusion, it seems to us that the residents of this park should have an alternative in choosing life supporting services, such as water and sewer,

but none is offered to us. In the report a mention of a survey purported to have been made, in relation to this application made by Sims for the utility; We live here year round and I have never been contacted, or interviewed in regard to this matter. In fact I fear that the only in put into this affair has been made by Sims. We are sure that the majority of the residents in this park would not have Sims as the operator of these facilities. His track record since the opening of this park is definitely not the kind of resume anyone would approve from a job applicant.

Alvin & Marcia Lachapelle
3723 Muller Drive.
Zephyrhills, Fla. 33540

FPSC HEARING NOVEMBER 28 1990

SHADY OAKS MOBILE/MODULAR ESTATES INC

DOCKET NO. 900025-WS.

QUESTIONS— MEMORANDUM SEPT 20 1990
(HANK LANDIS ENG.)

2.0. WHY NOW AND NOT MARCH 1986 IS THE COMMISSION ACTING ON RATE STRUCTURE- IF LEGAL ISSUE HAD BEARING - WHY NOT NOW YOU ARE SAYING JUDGE HAD NO KNOWLEDGE OF COMMISSION ENACTMENT - ARE YOU STATING FACT WHEN SAYING THIS.

8.0. WHAT GUARANTEES DO THE RATE PAYER HAVE OF ADEQUATE SERVICE/MAINTENANCE IN FUTURE - DOES THE FPSC MONITOR UTILITY OPERATIONS ON THESE SERVICES

8.2 ARE THERE REQUIREMENTS FOR ADEQUAT PRESSURE THROUGH OUT THE SYSTEM.

D.E.R - ORDER

WHAT HAPPENS IF UTILITY DOES NOT FULFILL ORDER - IS THIS FPSC POWERLESS TO ACT. (WITH THE RATE PAYER OF WHOLE SERVICES — (WASTE)

32546 PENSACOLA

15 QUESTION — SOME PART OF $42500 WAS FOR MAINTENANCE OF CLUBHOUSE, POOL & SHUFFLEBOARD COURTS. ACCORDING TO STAFF EVALUATION THEY FEEL THIS WAS. NOT SO - SO IF TR SITTON RECIEVED THIS SOLELY FOR WATER/SEWER WHY IS THE SYSTEMS PREVENTIVE MAINTENANCE SO POOR. I FEEL STAFF HAS DISREGARDED THE PORTION THAT SHOULD HAVE BEEN USED FOR OTHER PROVISIONS (AS QUOTED)

16 DOES STAFF FEEL OPERATING COSTS ARE CONSISTENT WITH OTHER LIKE SYSTEM IN THE AREA.

DOES INCREASING DOLLARS FOR SERVICE & MAINTENANCE GUARANTEE SERVICE FOR PARK LOT OWNERS - I QUESTION THIS RATIONALE =

WHAT TYPES OF VEHICLES ARE BEING INSURED BY THE UTILITY — INSURANCE COSTS.

21 ARE THERE STANDARD GUIDELINES OF RETURN OF INVESTMENT OF UTILITIES IN THE STATE OF FLORIDA — WHY 13.42%

24. MISCELLANEOUS =

WHAT RATE WILL UTILITY CHARGE FOR SERVICES OTHER THAN LISTED -
WHAT PART OF SERVICE (W/S) WILL BE RESPONSIBILITY OF UTILITY TO MAINTAIN
DOES UTILITY HAVE POLICY AND PROCEDURE MANUAL -
DO THEY WORK UNDER GUIDED STANDARDS WRITTEN AND APPROVED BY FPSC -)

2 CAL RANGE

In 1979 Sims told everyone to pay him $35.00 instead of $25.00 & would fix & keep things fixed. Even then Sims didn't fix or put money back into the park for maintenance. The people in the park have paid over $25,000.00 to fix some of the roads, open thousands on recreation hall, pool & shuffle courts. The D.E.R. ordered Sims to fix the sewer & levied fine against him years ago. All Sims did was dig the retention pond a little larger & installed a pipe in the back of it, so over the weekend he could uncap it & drain the pond down. D.E.R. knew this as pictures were sent to them. Sims was told to bring the well pipes up to ground level years ago. Sims finally did fix one, but the other pipe for the other well is laying on the ground next to it. Why was Sims allowed to let other places haul in sewer & dump it in a man hole next to the sewer plant? Then on weekends Sims would rent a large pump & pump the sewer plant out on the ground. The park has had water leaks all the time, some at a steady stream, so the amount of water usage in gallons would be counted very high. Ground water from the leaks in the back of the park went back into the water lines & some homes had contaminated water for a few days. The amount of water the P.S.C. estimates each home uses is wrong, because there are over 50 single people in here & in the summer over half are gone from 4-6 weeks. Sims has a laundry room in the club house, his own office trailer, the pool & all the constant leaks account for the excess of water being used. Also Sims supplies his own home with gallons of water each week from here & then leaves the outside faucet running for the weekend. All this has been going on for the 11 years we have lived here & now P.S.C. thinks Sims has changed. P.S.C & D.E.R hasn't been able

him. So what makes P.S.C. think he would now or keep anything fixed? P.S.C. says all this isn't Sims fault, if some of the monthy maintenance of $25.00 - 40.00 a month that each home has paid in our 11 years had been put back into repair of water, sewer, roads & general up keep, this park would be in good condition. The only money put back into this park has been for electricity to run the pumps & for the repair of club house ordered by a Judge in Wade City. He won't fix anything to code nor complete a job, so all his so called repair is going down hill before the job is done. Who were all the people contacted in the park by P.S.C. The never saw outsiders or heard of any asking questions. Its it just Sims? Why is the P.S.C. rewarding Sims for letting the park get in such a run down condition? Many of us are on a fixed income & would like our insurance etc paid for us too!! Look out the door window & see the green pile of grass to the right of swimming pool, thats a leak that has been there for years. Seems like it would be better for the county to take over our water & sewer & not let Sims reap any more money & lie about keeping things repaired.

Mr. & Mrs. W. W. McBride
3538 Castle

11/28/90

Docket No. 900025-WS

Florida Public Service Commission

We Carol & Daniel Cole residing at 38437 Beniger Dr. in Shady Oaks Mobile-Modular Estates, Inc. Zephyrhills, Fl 33540-6413.

1) Who started this? Richard Sims or the Public servive commission.
2) My book with the covenants (# 7 Section 8 Page 5). States that, and I Quote: "These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000, at which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots or tracts."
This has been signed by Richard D Sims president and Caroline Sue Sims. Pasco County, Florida the 29th day of September, 1972. It carries the corporate seal of Florida 1071.
3) Section 8 Page 9 in the restrictions and covenants #10, states that, and again I quote. "A yearly charge of $300.00, payable in advance, will be made for WATER, SEWAGE and Recreational Center including Shuffle Board Court."
4) This is my second year in the park. So far as I know Mr. Sims has done nothing in the way of maintenance, on the swimming pool, the roads or the front entrance. The people in the park cleaned the pool and fixed the tiles, also the roads have been patched and coated to help preserve them. We pay the county to take care of the street lights as Mr Sims turned them off for spite.
5) If this utility is Mr Sims who will be responsible to over see it? Now if the Public Service Commission declares this covenant null and void, then I will not have to pay him this $300 per. year as he has not lived up to taking care of the roads, pool, recreation section, (street lights, at the main entrance, next to recreation hall.) And this $300 per year has the water and sewer included in it.

Carol & Daniel Cole
38437 Beniger Dr
Zephyrhills, Fl 33540-6413

Carol L. Cole
Daniel Cole

You will notice there was a lack of the air conditioner in the building tonight — no lights around the club house.

Florida Public Service Commission

11/28/90 Docket No. 900025-WS

(1) Section 8 Page 9: In the restrictions and covenants, #10 states that, and we quote: " A yearly charge of $ 300.00, payable in advance, will be made for WATER, SEWAGE AND RECREATIONAL CENTER including SHUFFLE BOARD COURT."

(2) Our book with the covenants: Section 8 page 5 #7 states: We quote "These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000, at which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots or tracts."
This has been signed by Richard D Sims president and Caroline Sue Sims. Pasco county, Florida the 29th day of September, 1972.

(3) Now section 8 page 9 # 10: This states in the restrictions and covenants, again we quote: " A yearly charge of $300.00, payable in advance, will be made for WATER, SEWAGE and RECREATIONAL CENTER including SHUFFLE BOARD COURT."

(4) The people in the park have had to clean and repair the pools, the roof on solar heater, and also patch the roads, plus fixing up the front entrance. Sims for spite turned off the street lights and he was taken to court. Now the county has taken them over. Our fee for this is paid by each owner. Mr Sims has not done much to keep up the covenant that he and his wife signed. As far as we can see the people in the park do most of the work.

(5) Just WHO started all this water business? Richard Sims to receive more money or the Public Service Commission.

(6) Now if this UTILITY is Mr Sims, just who will see that he takes care of it. (And not like he has done with the roads, front entrance, street light and all the rest of his neglect. If the Public Service Commission declares this covenant void- our $300 per year would be just a gift for no service. As Mr Sims has not lived up to his part of the covenant to take care of the roads, pool, recreation section, prior street lights and all the rest. How do we know this utility will be any better? And in this $300 per year is included the WATER and SEWAGE.

Dr. Bart L
Ruth Bart

3651 Miller Dr.
Zephyrhills, Fl.
33540

The East Pasco Tribune
AN EDITION OF THE TAMPA TRIBUNE
Wednesday, May 22, 1985

Park's owner seeks state-set fees on utilities

If the Public Service Commission accepts jurisdiction over the mobile home park's utilities, any rate increase would clash with a court ruling.

By DONNA CROTHERS
Tribune Staff Writer

ZEPHYRHILLS — The owner of the Shady Oaks Mobile Home Park, where monthly rates for utilities and recreational facilities have been set at $25 until the year 2000 by court order, is asking the state Public Service Commission to regulate the park's water and sewer system.

If it decides to take jurisdiction, the Public Service Commission would set utility rates for the 180 households in the park. Doing so, however, could mean a clash with the rulings by the Pasco Circuit Court and the Second District Court of Appeals, according to commission officials.

"The law gives us exclusive jurisdiction over rates ... but in this case, the court has extended its jurisdiction and we're not sure how far it goes," commented Bruce Deterding, engineer with the Public Service Commission. "In order to make him (park owner Dick Sims) jurisdictional, we may have to overturn the court ruling ... that's never been done."

Both the legal and water and sewer departments of the commission have issued "split recommendations" on the request of Shady Oaks owner Sims to come under the agency's regulation, according to Deterding. The commissioners will decide the issue at their June 4 meeting in Tallahassee.

"Even assuming it could be done — and I'm not sure it could — the question is should it be done," said Neil Polster, attorney representing a group of Shady Oaks residents. "My opinion is Mr. Sims should abide by the final judgment ... upheld in the highest court in Florida except for the Supreme Court."

The court orders setting the Shady Oaks residents' monthly fees at $25 were the result of Sims' attempts to raise the fee to $40 in 1983. Residents argued that the covenants and restrictions set the fee at $25 until the year 2000, and Pasco Circuit Judge Wayne L. Cobb ruled in their favor in October 1983. His decision was affirmed by the Second District Court of Appeals in July 1984.

The circuit court also ruled that Sims was to give residents access to the clubhouse, pool and other recreational facilities at all times. But residents say Sims has not done so, and about 70 households, members of a group called Concerned Persons, have withheld their monthly $25 fees since April 1984, depositing the money into a separate checking account.

Because the residents' fees are unrealistically low and some have been withheld, Sims says he cannot afford to provide utility service and recreational facilities to the people who live in Shady Oaks. He has currently filed for a reorganization of debts under Chapter 11 of the federal bankruptcy code.

When asked if he thought the Public Service Commission would mandate higher utility rates than the $25 set by the courts, Sims said, "You know as well as I do the rates would go up."

Deterding could recall only one time when the commission took jurisdiction of a utility system in which the owners had already contracted a monthly fee; in that case, the old fee was continued for the owners but new owners paid the commission-mandated rates.

Residents said Tuesday that they could not believe the Public Service Commission could override the

See PSC, Page 4

PSC

• From Page 1

courts' ruling on the rates.

"They're stepping on thin ice," declared Ann French, president of the Concerned Citizens group.

"An unelected agency having authority over the court — that would be precedent-setting," said Elwood Arbo, president of the Shady Oaks Owners' Association.

Deterding estimates that the Public Service Commission regulates about 20 mobile home parks in Pasco County. Small utility systems have the option not to be certified by the commission if they meet one of eight exemptions set forth in Florida statutes.

"Most of the mobile home parks don't opt to come under our regulation, but more and more are doing it" because it can give residents the assurance that any utility rate increase has been scrutinized by the state agency, said Deterding.

11-28-90

Questions

Will the shady oaks residents receive better service or go back to the old do not care about the park?

1- Leaning leaks in the water line for weeks in 1989, that flooded the unpaved roads.

2- Do the residents have any other options for water & sewer?

3- If the residents have water & sewer meters from mr. Simms, will the $5.00 a mo be in effect? as there is no other service that we receive.

Joseph & Lee
Dna LeRoy
38400 Beneigh Dr.
Hills

38425 Beniger Drive
Zephyrhills, Fa 33540
28 November 1990

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gains Street
Tallahassee, Florida 32399-0870
Docket No. 900025-WS Application of Shady-Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County.

1. The fact that this letter states this reqeest is for conservation of water is only a new way to try to raise the monthly rates established when this park was started, and this idea of raising them was refused in court more than once.

2. I bought our place in this park in April of 1989 and moved in on 1 may 1989. Since then I have found that the only thing that I have received from the monthly payment of $25.00 has been water and sewerage. I have to sweep the roads before my place, the swimming pool has to be maint aned by a committee here in the park for which I gave a contribution when requested, the hydro pool has not been working since I have been in the park. Last spring when there were a lot of potholes that had to be repaired a committee requested some money to do the job, again I gave. I pay for pickup of garbarge, the street lights, and also for the new garbage incenerator that is being built.

3. Now if these new rates are put into effect will I still have to pay what I already am, if so for what? A system that at times causes the water to be just a dribble, in fact was so bad just after we moved in that we lost out waterheating unit and had to have Pattie electric replace it and not if we leave for a day we to be safe feel we must turn o off the electric heater for water? If you decide to give the requested rates will we again be without water each time a hone has a break or leak in its water lines because there is no shutoff by home or erea? I feel if we pay more we should receive a lot more that we now do from the recipient.

Donald H Storr

Nov. 28, 1990.

Director, Division of Records & Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Dear Sir;

We are writing in reference to Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate increase in Pasco County. We have read through the memorandums dated Sept. 20, 1990 and Oct. 15, 1990.

In reference to the Sept. 20, 1990 memorandum we have a few comments and questions. As far as "quality of service" goes; the quality here has been very poor. We have had many times when the pressure has gone so low that it was impossible to do everyday activities such as washing dishes, flushing the toilet or taking a shower. After some breaks in the main we have had grass and sand come into the house. There have been times when the water smelled so bad you couldn't drink it and a number of people got sick.

As for "unaccounted for water", a great deal of water pumped is not going into the sewer. There have been breaks in the main that have flowed unchecked for months on end. Also, water used for lawns, etc. does not go through the sewer. Also, as to the number of flushes you estimate for the Rec Hall; we believe this to far exceed the actual number. The Association doesn't use the hall every day and we have observed that the rest rooms are used very little when they do. Most water used in that building should be allotted to the laundry, which is another profit

making venture of Mr. Sims.

You state flatly that the mobile homes in this park are double wide; when actually there are quite a few single wide units.

The following is from the "Restrictions and Covenants" filed for record Oct. 3, 1972:

7. Duration of Restrictions —

These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000 at which time said covenants and restrictions shall automatically be extended for successive periods of (10) ten years, unless by vote of a majority of the then owners of the lots or tracts.

Also, under "Restrictions and Covenants":

10. A yearly charge of $300.00, payable in advance, will be made for water, sewerage and Recreational Center including Shuffle Board Court.

Mr. Sims request for an increase in maintenance fees has been denied by the court because of the legal issues involving these deed restrictions. It also was determined at that time that the maintenance expenses of this park were only about 1/3 of the income from maintenance fees paid by the residents.

Also, the change of name to Shady Oaks Utility (or any other name) is just another attempt to get around these deed restrictions. Under any name it will be Mr. Sims.

You noted under "Field Investigation" - that there was heavy vegetation growth at the facility and the owner indicated that it would be cut within a week.

Did you check to see if it was cut within a week? Or if it has been kept cut regularly since?

You state that the roof of the 20'x20' building housing the Water Treatment Plant needed replacement and that owner agreed to correct the problem.

Has this been done?

You also stated that the Sewer Plant was supposed to be moved to a different site within 6 months.

Over 2 months has passed; has any work been started yet?

You also state that "most" residents spend only 6 months of the year here. We believe this to be inaccurate; a lot live here the year round and a lot of others go north for only 2, 3 or 4 months. However, this backs one of the points we wish to make. We are here only 6 months of the year but have paid the maintenance fee for the whole 12 months since 1984. This actually means we pay $50 a month as we use no facilities for 6 months of the year.

Will we have to pay water and sewer bills for 12 months if we are here for only 6 months?

Also, several years back, Castle Dr., Monet Dr. and parts of several other streets in this end of the park were barely fit to drive over, and nothing whatsoever was done. The residents on those streets had to have the work done themselves at an expense of several hundred dollars each. This not only

benefited us but also Mr. Sima (he didn't even pay his share for the empty lots he owns on these streets) as a number of people looking to buy in this park before, took one look at the streets and went elsewhere.

We didn't have the use of the Rec Hall or the swimming pool for many months until the Court ordered Mr. Sima to make repairs. Since then the residents have paid for the maintenance of them out of their own pockets. Also, the residents have had to pay to keep the Shuffle Board Courts maintained.

So, you see, we have paid a good deal of money over and above the $25 monthly maintenance fee. And now we are being asked to pay even more!

In conclusion, we firmly believe Mr. Sima to be incompetant to run and maintain, or to even read meters for a utility. Case in point, the run-down, neglected, poorly maintained present water and sewer system!

Sincerely,

Kenneth Libby

Virginia L. Libby

3613 Castle Drive

Zephyrhills, FL 33540

P.S. Please place us on the mailing list for this case.

Florida Public Service Commission
101 East Gaines St.
Tallahassee, FL.
RE: Document No. 900025-WS

Question: Do we as Shady Oak Estates property owners have a voice in who takes over management of sewer and water system? If so, could other options be explored before a final decision is made?

Question: After several years of PSC's supervision of present system, can you honestly say that Mr. Sims has done a satisfactory job, and complied with your requirements?

Comment: When we bought lots here, a portion of the water and sewer system was included in the cost of each one. Over the years the system has badly deteriorated under Mr. Sims' management, even though for many years he has received approximately $50,000.00 annual maintenance fee from the residents. For this fee we get only sewer and water. The "added" services have been eliminated by Mr. Sims,

and are now funanced by the residents. It is my opinion that we should not reward Mr. Sims for his neglect and encompetence by allowing him to continue management and maintenance.

Comment:

It is my opinion the figure for land needed for new retention pond is grossly inflated. Mr. Sims already owns the land. Now he wants us to pay his newly formed corporation to buy it back from himself! It is also my opinion that it is ridiculous to include health insurance for Mr. Sims and his wife for a 10 hour work week! Nor do I think it is fair to include any of his transportation expenses. I strongly urge the Commission to rethink and refigure these items.

Mildred Johnston
38517 Cone Dr.
Zephyrhills, FL 33540

Nov. 28, 1990

To The Public Service Commission;

In my opinion I don't see how you can justify installing water meters and charging for the use of water when we have a court order stating Mr. Simms is to provide water and sewage disposal until the year 2000.

Also 6,000 gallons is way over exagerated as most home owners are not in the park for 6 months of the summer.

Also $8,000 per acre for 4 acres of new land for a sewage disposal is way over priced when it is tax assesed at $11,000 per acre.

In my oninion, I doubt Mr. Simms can operate the water system efficiently after seeing how he has let the maintance deteriate so badly over the past 9 years that I have owned property here at Shady Oaks. I beleive the county could provide much better service.

Oscar Hulber

Oscar Hulber

38604 STAFFORD DR.
Zephyr Hills, FL.
813 783-0486

The East Pasco Tribune
AN EDITION OF THE TAMPA TRIBUNE
Wednesday, May 22, 1985

Park's owner seeks state-set fees on utilities

If the Public Service Commission accepts jurisdiction over the mobile home park's utilities, any rate increase would clash with a court ruling.

By DONNA CROTHERS
Tribune Staff Writer

ZEPHYRHILLS — The owner of the Shady Oaks Mobile Home Park, where monthly rates for utilities and recreational facilities have been set at $25 until the year 2000 by court order, is asking the state Public Service Commission to regulate the park's water and sewer system.

If it decides to take jurisdiction, the Public Service Commission would set utility rates for the 180 households in the park. Doing so, however, could mean a clash with the rulings by the Pasco Circuit Court and the Second District Court of Appeals, according to commission officials.

"The law gives us exclusive jurisdiction over rates ... but in this case, the court has extended its jurisdiction and we're not sure how far it goes," commented Bruce Deterding, engineer with the Public Service Commission. "In order to make him (park owner Dick Sims) jurisdictional, we may have to overturn the court ruling ... that's never been done."

Both the legal and water and sewer departments of the commission have issued "split recommendations" on the request of Shady Oaks owner Sims to come under the agency's regulation, according to Deterding. The commissioners will decide the issue at their June 4 meeting in Tallahassee.

"Even assuming it could be done — and I'm not sure it could — the question is should it be done," said Neil Polster, attorney representing a group of Shady Oaks residents. "My opinion is Mr. Sims should abide by the final judgment ... upheld in the highest court in Florida except for the Supreme Court."

The court orders setting the Shady Oaks residents' monthly fees at $25 were the result of Sims' attempts to raise the fee to $40 in 1983. Residents argued that the covenants and restrictions set the fee at $25 until the year 2000, and Pasco Circuit Judge Wayne L. Cobb ruled in their favor in October 1983. His decision was affirmed by the Second District Court of Appeals in July 1984.

The circuit court also ruled that Sims was to give residents access to the clubhouse, pool and other recreational facilities at all times. But residents say Sims has not done so, and about 70 households, members of a group called Concerned Persons, have withheld their monthly $25 fees since April 1984, depositing the money into a separate checking account.

Because the residents' fees are unrealistically low and some have been withheld, Sims says he cannot afford to provide utility service and recreational facilities to the people who live in Shady Oaks. He has currently filed for a reorganization of debts under Chapter 11 of the federal bankruptcy code.

When asked if he thought the Public Service Commission would mandate higher utility rates than the $25 set by the courts, Sims said, "You know as well as I do the rates would go up."

Deterding could recall only one time when the commission took jurisdiction of a utility system in which the owners had already contracted a monthly fee; in that case, the old fee was continued for the owners but new owners paid the commission-mandated rates.

Residents said Tuesday that they could not believe the Public Service Commission could override the

See PSC, Page 4

PSC

• From Page 1

courts' ruling on the rates.

"They're stepping on thin ice," declared Ann French, president of the Concerned Citizens group.

"An unelected agency having authority over the court — that would be precedent-setting," said Elwood Arbo, president of the Shady Oaks Owners Association.

Deterding estimates that the Public Service Commission regulates about 20 mobile home parks in Pasco County. Small utility systems have the option not to be certified by the commission if they meet one of eight exemptions set forth in Florida statutes.

"Most of the mobile home parks don't opt to come under our regulation, but more and more are doing it" because it can give residents the assurance that any utility rate increase has been scrutinized by the state agency, said Deterding.

M E M O R A N D U M

June 1, 1990

TO : ANN DAVIS, MATT FEIL, GARY ASBELL, TOM PALMER

FROM : NOREEN DAVIS (nsd)

RE : REASSIGNMENT OF RANDY FRIER'S CASES

You have been assigned the following cases previously assigned to Randy.

Matt Feil

Docket No. 890430-WS	Tax Savings
Docket No. 890509-WU	Fla. Cities Water (w/Noreen) - Rate Case
Docket No. 891191-SU	Springs Environmental - SAC
Docket No. 891264-SU	Rookery Bay (Objection settled)
Docket No. 891270-WU	Century Utility (5/22 DOAH Hearing) - Complaint
Docket No. 891386-SU	Bonita Treatment Center - SARC
Docket No. 900020-SU	Hudson - Objection
Docket No. 900172-WS	Paradise Lakes - SARC
Docket No. 900220-WS	Stuart 714 Services - Exemption
Docket No. 900328-SU	Rookery Bay - New Class of Service

Ann Davis

Docket No. 890975-SU	Del Tura North - SAC (protested)
Docket No. 891038-WU	W. Marion Utility - Objection
Docket No. 891082-WS)	
Docket No. 891108-WS)	
Docket No. 891192-WS)	N. Naples Utility - Objection (settling)
Docket No. 891193-WS)	
Docket No. 891302-WS	Magnolia Valley - Rate Case
Docket No. 891316-WS	Kingsley Service Co. - SAC
Docket No. 891319-WU	Wedgewood/SSU - Transfer
Docket No. 900168-WS	Aquarina - SARC

Docket No. 900211-WU	El Jobean Water Assoc. - Complaint
Docket No. 900212-WU	Colonies of Margate - Complaint

Gary Asbell

Docket No. 900135-SU	M & M (Invest. of Options)

Tom Palmer

Docket No. 900025-WS	Shady Oaks - SARC
Docket No. 900246-SU	Ranch Mobile - SARC
Docket No. 900380-WU	Corkscrew Wetlands - Complaint
Undocketed -	Club Continental - Complaint
	W. Palm Utility - S/C for unauthorized service

Noreen Davis

Docket No. 900230-WU	Continental Utility - Rates/L/P

NSD/dlc

cc: Division of Legal Services (Craig, Brunson)
Division of Records and Reporting (Simmons, Purvis)
Chairman's Office (Fisher)
Division of Water and Sewer (Hill, Lowe, Williams, Shafer, Crouch, Willis, Bivins)

Commissioners:
MICHAEL M. WILSON, Chairman
GERALD L. (JERRY) GUNTER
JOHN T. HERNDON
THOMAS M. BEARD
BETTY EASLEY

State of Florida

Public Service Commission

STEVE TRIBBLE, Director
Division of Records & Reporting
(904) 488-8371

M E M O R A N D U M

June 6, 1990

To : All Interested Persons

From: Steve Tribble, Director of Records & Reporting

Re : Original Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Director of Records & Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

1/8/90 - Revised

M E M O R A N D U M

November 2, 1990

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FPSC-RECORDS / REPORTING

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (PALMER) TCP

RE : DOCKET NO. 900025-WS - APPLICATION OF SHADY OAKS MOBILE-MODULAR ESTATES, INC. FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY.

Please place the attached letter from a Shady Oaks' customer into the above-referenced docket file.

Thank you.

TCP/lp

Mr. Palmer,

We very much appreciate your help in clarifying much of the PSC preliminary recommendations. Bob was especially appreciative of your perception and attention to his concerns. We look forward to working with you. See you in Tallahassee.

Dottie Bird

38553 Monet Drive
Zephyrhills, FL 33540
November 29, 1990

Mr. Greg Shafer
Chief, Bureau of Special Assistance
Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301-8153

Dear Mr. Shafer:

First of all, let us commend you on your excellent handling of last night's customer meeting at Shady Oaks. The entire group of PSC representatives displayed a very high degree of professionalism, and we were very impressed with your concerns on all sides of the issue. We came away with a good feeling, knowing that if there is any fair way to settle this issue, you will certainly try your best to arrive at it in the six short weeks you have to bring it to a reasonable conclusion.

We are enclosing an amended copy of the report we submitted to you, realizing that in an effort to be clear we have muddied things up for you. We also found it necessary to make a correction on page 2. In the hope that this will clarify our concerns and make them easier to answer, we submit pages 2 through 5 to replace those of the previous document.

Again, thank you. The conduct of the meeting on everyone's part surpassed all our expectations. If we can be of any further help to you, please let us know. We can be reached by telephone at (813)788-1196.

Sincerely,

Robert M. Bird

Robert M. Bird

Dorothy K. Bird

Dorothy K. Bird

cc: Mr. Bill Lowe
Mr. Tom Palmer ✓

DEC 5 1990
LEGAL DIVISION

RECEIVED NOTICE NOV. 17, 1990

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NOV 20 1990
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DIRECTOR, DIVISION OF RECORDS AND REPORTING
FLORIDA PUBLIC SERVICE COMMISSION
101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399-0870

DOCKET NO. 900025-WS - APPLICATION OF SHADY OAKS MOBILE-MODULAR ESTATES, INC FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY

I REQUEST A COPY OF THE RECOMMENDATION OR THE ORDER RESULTING FROM CUSTOMER MEETING, ALSO COPY OF CUSTOMER MEETING HELD ON NOV. 28, 1990 AT SHADY OAKS RECREATION CENTER

SEND TO
MR & MRS. H. E. PENETON
113 PARK DRIVE N.
MT. COMO, OHIO 45858

Copies to Pete Foster

WE ARE PROPERTY OWNERS IN SHADY OAKS EST.
3604 CASTLE DR. ZEPHYRHILLS, FLA.

Customer List

900025

Mr. Sims - Dom

Customer Meeting - Nov 28, 1990 Wednesday

Name	Address	Phone #
* Frank & Stella Mellon	3854 6 Stafford Dr.	788-4925
Lonnie & Audrey Rutledge	3803 Stafford	782-7783
Doris Cody	38521 Willoughby Dr.	788-5637
* Bill & Mickie Leitich	38441 Stafford Dr.	788-6763
* Ernest D. Samuelson	38511 Stafford Drive	782-4387
& John and Marie Boyce	38523 Beniger	788-6700
Mildred McGreevy	38602 Beneger	782-9021
John & Norma Angley	3733 Muller Dr.	788-3834
Laura Spurney	38529 Beniger Dr	7882569
Margay Smilan	38602 Shady Oaks Dr.	782-0261
Margarette Shaver	3857 0 Beniger Dr.	782-0100
James Spruce	38417 Beniger Dr	782-0826
Alta N Ruble	38416 Beniger Dr	788 5945
Margaret Armour	38516 Monet Dr.	788-1207
Frank & Norma Humphrey	3757 Muller Dr.	782-5832
* Carol & Daniel Cole	38437 Beniger Dr.	782-8101
Bo & Ruth Borte	3651 Muller Dr	788-4273
* Floyd & Helen Wolters	[redacted]	782-3983
Marvin Roepke	3861 9 Monet Drive	788-3153
Margaret Paasch	3861 4 Monet Dr	788 4868
Reynold & Rita Peavey	3718 Castle Ln	782-6784
* Patricia & Don Storey	38425 Beniger	782-4834
* Clarence & Marie Kellenhafer	3652 Muller Dr.	788-7858
Elmer Dean	38536 Cone Dr.	782-8034
* Ann & Elwood Rice	3614 Castle Dr.	782-9010
Al Halloway	3643 Muller Dr.	788-1613
LESTER & VERA PETERSON	3542 CASTLE DR	782-1585
Harold - Doris Ashley	3639 Muller	782-1053
Bob & Lois Rutherford	38428 Beniger Dr.	788-1370
RONALD A STASSER	38518 CONE DR	788-6520
Basil - Maxine Reyes	38443 Beniger Dr.	783-3732
* WELD - Ben and Mary	38429 Willoughby DR	783-8138
Arnold Barbara	38441 Willoughby Dr.	782-2163
NW & M Lutz	38502 Cone	782 0295
D & Ricketts	3752 Muller	782-5080

Name	Address	Phone #
* Ruth L. Cole	38440 Willoughby	788-5872
* Louise + Len Miller	3626 Castle Dr.	788-2802
Leo & Janice Sciretti	3632 Castle Dr.	788-9312
* Earl + Betty Broberg	3734 Castle Dr.	788-6085
Monte + Walter Kanett	3727 Castle Dr	788-1830
Margaret + John Borge	38511 Monet Dr.	788-6148
Ken + Elaine Patcher	38523 Monet Dr.	782-7579
Idell Houston	3608 Castle	782 4636
* Esther L. Haken	38601 Beniger Dr.	782-3090
* Mr. + Mrs. Robert E. DeNio	3607 Castle Dr	783-3028
Robert W. McLaren	38529 Monet Dr.	788 9574
Mrs S. Batuska	38535 Monet Dr.	782-6312
James H and Blanche M Kelly	38522 Monet Dr	788-3081
L. Bruce + Caroline Wilson	38505 Beniger Dr.	783-1110
Warren + Doris Burnell	38328 Monet DR	788-1486
DONE * Robert M & Dorothy K. BIRD	38553 Monet Dr, Z'hills	788-1196
Charles + Agnes McClelland	38603 Monet, Z'hills	782-7165
Ida Chapman	38436 Willoughby Dr. ZH.	782-3866
* Ken Patcher	38523 Monet Dr. Z'Hills, Fla	33540
Laureen Van Gleison	3559 Castle Dr Zephyrhills	FL 33540

ADD Mr + Mrs. H.E. Penrton
113 Park Drive N.
McComb, Ohio 45858

Shady Oaks address is 3604 Castle Dr.

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NOV 27 1990
Fla. Public Service Commission
Division of Water and Sewer

DIRECTOR, DIVISION OF RECORDS AND REPORTING
FLORIDA PUBLIC SERVICE COMMISSION
101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399-0870

DOCKET No. 900025-WS - APPLICATION OF SHADY OAKS MOBILE-MODULAR ESTATES, INC FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY

I REQUEST A COPY OF THE RECOMMENDATION OR THE ORDER RESULTING FROM CUSTOMER MEETING, ALSO COPY OF CUSTOMER MEETING HELD ON NOV. 28, 1990 AT SHADY OAKS RECREATION CENTER

SEND TO
MR & MRS. H. E. PENETON
113 PARK DRIVE N.
MT. COMB, OHIO 45858

WE ARE PROPERTY OWNERS IN SHADY OAKS EST.
3604 CASTLE DR. ZEPHYRHILLS, FLA.

Name	Address	Phone #
Herbert J. McClain	3738 Muller Drive	788-2644
Maria Kent	38522 Stafford Drive	782-2944
* Catherine L. Knapp	3667 Muller Dr.	782-7702
Austin + Virginia Murray	38510 Beniger Dr.	782-6087
Lillie C. Padgett	38528 Stafford Dr	788-3291
Jane Schneider	3633 Muller Dr	782-5623
Dorothy Hein	3620 Castle Dr.	788-6913
* Bill Schneider	3633 MULLER DR	782-5623
Eunice Wentz	38504 Beniger Dr.	782-0242
Jane Lindsay	38511 Beniger Dr.	752-1100
Spence Johnson	38630 Monet Dr.	783-6604
E R Beasley	38608 Monet Dr	782-3938
Betty A Beasley	38608 Monet Dr	782-3938
Mildred Johnston	38517 Cone Dr.	792-9133
Raymond Swaileebe	3710 Castle Drive	788-7164
Curtis J. Langon	38614 STAFFORD DR	783-2961
* Frances Crespo	3634 Muller Dr	782-7949
Jane Fowler	38516 Stafford Drive	785-3047
A Kachapelle	3723 Muller Dr.	782-8797
* Ida Chapman	38436 Willoughby	782-3867
* Richard Hatfield	38615 Monet Drive	782-2973
Elizabeth Hatfield	38615 Monet Drive	782-2973
Elizabeth Jacob	3729 Muller Dr	782-9103
Julius Jacob	3729 Muller Dr	782-9103
* John A. Williams	38602 Stafford Dr.	788-4770
Barbara M. Williams	38602 Stafford Dr.	788-4770
Barbara J. Hueber	38609 Stafford Dr.	783-6486
Oscar F. Hueber	38609 Stafford Dr.	783-6486
* Robert W. Tindall	38546 Beniger	788 2830
* Maria V. Tindall	38546 Beniger Dr	788 2830
Lina LeRay	38400 Beniger Dr.	782-7863
Joseph C LeRay	38400 Beniger DR	782-7863
Stephen A Arnold	3614 Castle Dr	788-4060

Name	Address	Phone #
Eugene G. Funk	38547 Stafford Dr.	782-7106
* Robert J. Braidwood	3758 Castle	788-2835
/ Lou Mathews	3627 Muller	782-7550
Eugene Darby	38541 Stafford	788-7030
Emma Darby	38541 Stafford	788-7030
* Edith McLeod	3720 Muller	788-3292
Carl Schultz	3750 Muller	782-7962
* M.W. McBride	3538 Castle Dr.	788-2340
* Mr Carrol Meeusen	3354 Castle Dr	788-3207
Mrs. Virginia L. Libby	3613 Castle Dr.	788-9492
* Mr. Kenneth Libby	3613 Castle Dr.	788-9492
Sylvia & Lawrence Van Gelison	3559 Castle Dr.	782-0071
* Mr & Mrs Clyde A. Warren	3750 Castle Dr.	788-3460
* Mr & Mrs Julio Baron	3767 Muller Dr	788-5709
Mr & Mrs Charles W Roop	3739 Muller Dr	7837448
Mr & Mrs Harold Bennett	3724 Castle Drive	782-3822
Helen Cochrane	3728 Castle Drive	782-0906
Mrs Della Lewis	3668 Muller Dr	782-0622
Charles Beck	3558 CASTLE DR.	788-3318
Jerry & Mary Jane Kelly	38545 Bridger Dr	782-6212
Curtis C. Kent	38592 Stafford Dr.	782-0944
Albert H Sorensen	38546 Stafford Dr	782-7569
Lucy Clark	37510 Monet Dr	788-0282
Ed Lorenzen	38579 Stafford Dr	782-3107
[illegible]	3642 Castle Dr.	782-7764
Charles W. McClelland	38603 Monet Dr.	782-7168

Nov. 28, 1990

Director, Div. of Records and Reporting
Florida Public Service Commission
101 East Gaines St.
Tallahassee, Florida 32399-0870

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FPSC-RECORDS/REPORTING

Re: Docket No. 900025-WS- Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco Co.

Dear Friends:

We wish to thank the Staff for appearing at Shady Oaks Home Owners meeting and especially Greg Shafer for conducting an orderly meeting and discussion concerning a highly controversial subject.

We have been Shady Oaks Home Owners for just one year, having purchased our property feeling secure in the assumption that our monthly fee would remain $25.00 until year 2000. It is stated thus in Court Records. Our few meetings with park owner Richard Sims have been brief and not unpleasant. However our observations

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MAIL ROOM

alone tell us that something is missing and it is apparently the presence of a conscientious owner and manager in Shady Oaks Mobile Estates.

Experiences related by neighbors and long-time residents concerning the integrity and responsibility of the owner cannot be denied since they are also contained in Court Records.

In closing we assume that you the Staff will consider all testimonies given and deal with it fairly for all parties concerned.

Sincerely

Mr. & Mrs. Lester L. Peterson
3542 Castle Dr.
Zephyrhills, FL 33540-6510

Nov. 25, 1990

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

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FPSC-RECORDS / REPORTING

Dear Sir:

This letter is in reference to:

"Docket No. 90025-WS-Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County."

As I understand it, this is a sworn statement, therefore, these are statements of truths and real concerns with the proposed new water system.

Since we moved here in Aug. 1988, we have paid $25.00 monthly, which supposedly covered water, sewer, roads, Clubhouse, swimming pool, and shuffleboard use and maintenance. We have had assume many of Mr. Sims' responsibilities to see that thing are fixed, repaired or replaced. We have tried very hard to keep harmony in the Park. We have had pot holes in the roads in front of our homes, in front of the Clubhouse, in the Parking lot, and in front of Mr. Sims' Office on Shady Oaks Dr. . These have remained for week after week until finally some homeowner has bought materials and repaired the holes himself.

We have watched the Clubhouse and surrounding buildings deteriorate further and further. Some of us have offered to repair or replace the roofs of these buildings if he would just furnish the materials. We have made this offer many times over the past year and as of Nov. 25, 1990 we have received no follow thru on this from Mr. Sims.

The roof of the Shuffleboard Court is in really bad shape with at least one large hole in it. A group of our men just went ahead and completely repaired the roof on the cabana of the swimming pool a few weeks ago because it had so many leaks in it.

The Swimming Pool was drained by Mr. Sims in Feb. of 1989 and was left with just rainwater, lots of tadpoles and frogs for over two (2) months until we asked Mr. Sims what he intended to do about the pool and he replied "Nothing, I don' have any money, I may just plant a palm tree in it." Then, some homeowners got together and drew up an agreement for Mr. Sims' signature, in which the homeowners agreed to do cleaning, painting and refilling of the pool and to maintain the chemicals, check the pool every day, and take care of replacing all filters and general upkeep of the pool, which we have done and have continued to do since May, 1989 until now. A copy of that is included with this letter.

Docket No. 90025-WS-Application

We have seen the homeowners take on more and more responsibility for the upkeep and maintenance of Shady Oaks Park. We know a little something about painting buildings and cutting grass and repairing roofs. However, we don't know anything about maintaining and running a water and sewer system. It is difficult to realize what the problems are or might be. We are very concerned with our water and sewer system and would certainly desire that it be properly maintained and cared for. In my mind, we have been paying our $25.00 for water and sewer that's been done by Mr. Sims. I notice you're proposing to allow Mr. Sims a 13% profit margin if the new system goes in. I wonder what his profit margin has been these last 2 years with things the way they've been since we've been here? If the Public Service Commission allows him to put in water meters and allows him to break the covenants and establish basic water rates, I assume we will end up paying considerably more than the $25.00 per month. So, I'm sure the homeowners will not be willing to fix things or take care of water leaks themselves as they have in the past.
What recourse will we, as homeowners, have? Can we expect the Commission to take action and make sure problems are taken care of promptly if Mr. Sims lets problems drag on days, weeks, or months? I'm speaking of problems such as:

1. Leaks that go on for long periods of time.
2. Water pressure that is continously low.
3. Roof on pump house is never fixed.
4. The new septic pool is never put in.
5. The septic pool should have an odor that is too offensive.

Or, would our only recourse be to sue Mr. Sims as it has been in the past?

My husband and I were not living here in the former years when the homeowners sued Mr. Sims and the court cases were won but it seems to me that after homeowners have spent many thousands of dollars, we are right back where we started with the very same problems, plus a few more.

Finally, this is a retirement community and with just one (1) or two (2) people per household, we don't use a large amount of water for our personal use. We do use quite a large amount of water, however, for our lawns and shrubs. I don't see anything fair or just about charging us a sewer charge for water that goes on our lawns and never goes thru the treatment system. I would certainly hope and trust that an allowance would be made for a certain anount of water use that will not be going thru the septic system.

Thank you for your time and attention to this letter.

Sincerely,
Frances L. Miller
Frances Louise Miller
Leonard P. Miller

May , 1990
~~April 5, 1990~~

Mr. Richard Sims
38616 Shady Oaks Dr.
Zephyrhills, Florida, 33540

Dear Mr. Sims:

We are a group of concerned homeowners in Shady Oaks who are willing to volunteer to assist you in the repair and Maintenance of the pool area. We will help to drain, clean, paint and repair pool and Jacuzzi. Also, we will help with the chemicals that are needed for the pool.

We will not be liable or responsible for any damage, mishaps or accidents that may occur at, in, or around the pool at any time including when it is being cleaned and readied for use as well as in the future use of the pool and Jacuzzi.

It is agreed for both parties (concerned homeowners and Richard Sims) will have a key to the pool house at all.times.

The existing rules and regulations of the pool will continue to apply and all will try to see that they are enforced.

This agreement between the Concerned Homeowners and Mr. Sims (park Owner) does not in any way affect or interfere with Court Orders, Covenants and Restrictions, or any agreements between Shady Oaks Homeowners Association, Inc.and Mr. Richard Sims.

If at any time, anything is done to interfere with the upkeep of the pool, this agreement becomes null and void.

We agree to assist you in maintaining the pool as this states for a period of ~~two~~ (2) years. If all goes well, we can renegociate at that time.

If the above conditions are agreeable to you, please sign your full name and return as soon as possible.

Concerned Homeowners

Joanne Beman

Joanne Beman, Acting Chairman

Richard D Sims

Richard D. Sims, Park Owner

November 27, 1990

RECEIVED
DEC 3 1990
FPSC-RECORDS / REPORTING

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County

Dear Sir:

Please place our names on the mailing list for the above-named Docket Number, to receive any and all information concerning this case or anything pertaining to Richard A. and Caroline Sue Sims, S & D Utility Company or Shady Oaks Mobile-Modular Estates, Inc.

We would also like to have copies sent to us of the following schedules, attachments to the memorandum of October 15, 1990 from Denise Vandiver, Economic Analyst toGreg Shafer, Chief, Bureau of Special Assistance: Schedules 1A, 1B, 1C, 2A, 3A, 3B, and 3C.

Thank you for your kind attention.

Sincerely,

Robert M. Bird

Dorothy K. Bird

Robert M. and Dorothy K. Bird
38553 Monet Drive
Zephyrhills, Florida 33540

900025-WS

State of Florida

Commissioners:
MICHAEL McK. WILSON, CHAIRMAN
THOMAS M. BEARD
BETTY EASLEY
GERALD L. (JERRY) GUNTER
FRANK S. MESSERSMITH

DIVISION OF WATER & SEWER
CHARLES H. HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

RECEIVED
DEC 18 1990
FPSC-RECORDS / REPORTING

December 18, 1990

Customers on attached list
Shady Oaks Estates
Zephyrhills, FL 33540

Dear Customer:

Thank you for your participation in the customer meeting and the comments made in your letter. Many customers provided information of which staff was unaware. Following is a response to the questions and concerns raised in the letters received at the customer meeting.

The Florida Public Service Commission is an arm of the legislative branch whose function is to regulate persons and companies performing services of a public nature. With certain exceptions, any person or entity providing water or wastewater service to the public, for compensation, is subject to the commission's jurisdiction. The Commission regulates over 300 water and wastewater utilities throughout the state. Many of these utilities are mobile home parks where the lots are sold, not rented, to the customers.

Chapter 367, Florida Statutes, requires utilities subject to Commission jurisdiction to apply for a certificate granting authority to provide service within a specified territory. Order No. 14540, issued July 8, 1985, found Shady Oaks subject to the jurisdiction of this Commission. By Order No. 15633, issued February 6, 1986, the Commission issued Water Certificate No. 451-W and Sewer Certificate No. 382-S. No other entity is authorized to provide water and wastewater service in the certificated area.

The statutes also charge the Commission with the responsibility of fixing rates which are just, reasonable, compensatory and not unfairly discriminatory. Consideration is to be given to the value and quality of service and the cost of providing service, Subsection 367.081(2), F.S. Commission rules allow a utility with annual revenues less than $150,000 for any one service, to request staff assistance in a rate increase, Chapter 25-30.455, Florida Administrative Code. On January 10, 1990, Shady Oaks (Mr. Sims) applied for this staff-assisted rate case. The Commission auditors have reviewed the utility's books and records, the canceled checks, and the invoices in order to determine those components necessary for rate-setting.

Staff is not aware of a policy and procedures manual that is maintained by Shady Oaks. However, the Commission has rules which govern the operation of a utility. The utility is required to maintain a tariff, readily accessible to the public, which includes the rates, charges, and various operating rules required by the Commission, Chapter 25-9.003, F.A.C. The Commission rules do not require a utility to guarantee public access to its records and financial statements. The Commission has access to the utility's records and any information which the Commission possesses is subject to public inspection.

The Public Service Commission cannot require a utility to sell its system. Nor does the Commission have the authority to require the county to own and operate a system. If the customers desire the county to own and operate the Shady Oaks system, the customers may want to contact the county to consider such a possibility.

The Florida Department of Environmental Regulation is responsible for setting a wide range of quality standards and enforcing those standards. The Public Service Commission Rules 25-30.210 through 25-30.355, Florida Administrative Code, address various service provisions and customer relations (safety, continuity of service, meter installations, meter readings, meter testing, deposits, discontinuance of service and customer billing). If a customer is unable to resolve a complaint with the utility, the customer should call the Commission at the toll-free number 1-800-342-3552 and the Commission will solve the problem. If a utility consistently ignores the Commission rules and does not provide adequate service, the Commission may require the utility to justify why it should not be penalized for the violations. This procedure is called a "show cause."

The Commission monitors the earnings position of all utilities based on the annual reports which are filed by the utilities. The physical operations of the utilities are monitored only when complaints are received or when a utility files for a rate increase.

Most of the comments at the customer meeting and customer letters complained about the quality of service provided by the Shady Oaks system. These complaints address low pressure, unannounced water shut-offs, pump failures, line breaks, bad tasting water, numerous leaks lasting for several weeks and unsightly vegetation around the sewer plant. The vast majority of these complaints were the first time the Commission staff became aware of these problems. Staff will follow-up on these complaints and amend our original recommendation to address these issues. Our contact with the health department and DER revealed that complaints which were substantiated by their investigation were referred to DER. DER informed staff that the utility had been fined for violations and that the utility was, and is currently, working under a consent order to correct all deficiencies. The staff engineer questioned several customers he met along the service area. This contact was brief and spontaneous and their names were not recorded. Staff is also unaware of any instances where people outside the park have dumped untreated wastewater into the manholes. The Health Department could not substantiate this allegation. And, devoid of policing the area,

little can be done without the watchful eyes of the customers in the service area. Mr. Sims does not have an approved tariff charge for accepting this type of wastewater and if this practice were to happen in the future, the Commission could "show cause" Mr. Sims why he should not be fined.

The Commission often will keep a docket (case file) open until any proposed construction is completed. Only after the staff visits the site and verifies that the work has been completed and the regulatory authorities are satisfied will the Commission close the docket. Because of the number of customers concerned with the likelihood that the construction will not be completed on a timely basis without Commission oversight, staff will consider holding this docket open to verify the completion of the proposed construction.

Staff's comment that the retirement of the old pond is not due to the owner's negligence is based on the engineering review that the pond was retired because of the poor quality of the ground under the pond and not the maintenance of the pond. The engineering survey provided by Mr. Sims indicates that the ground in the area is not conducive to percolation by the ponds. The survey for the new pond site indicates that the proposed new pond has a higher likelihood of success than the old site because of better soil characteristics.

The staff calculation of $18,500 for the proposed meters was based on an estimated cost of $100 per meter. This is an approximate cost of what water meters cost plus the labor to install one. Staff is unfamiliar with the Pasco County costs. The Commission sets rates and charges based on the actual costs incurred by a utility.

Several customers questioned the estimated cost of the land required for the new percolation pond. Several customers suggested that the 1985 sale that was used as a basis for the estimated cost was never consummated. Staff will continue to investigate this important issue. Staff is interested in valuing the land at today's cost. Staff will also talk with the county to determine the assessment policies used in establishing the county's valuation. However, staff has found in several other cases that the county's ad valorem tax valuation methods often do not represent what a parcel of land will sell for on the market. This issue is being revisited. One customer suggested that the estimated acreage for the new pond includes excess land because the old pond often was used for cattle, goat pasture, storage of motor homes and travel trailers. The staff estimate was based on the fact that the site needs to be large enough for the required pond plus a certain buffer zone to ensure that homes cannot be placed on the border of the pond. It appears that the land area is reasonable under the circumstances.

Staff has attempted to include in the recommended rates only those expenses and plant balances which are necessary to serve the current customers. Commission policy is to remove all future plant and related expenses from the basis for calculating current

customers' rates. There are times when a plant is sized large enough to serve additional customers, but it is also the smallest sized plant able to serve the current number of customers with near-term growth. If the difference is not significantly material, staff will include the entire plant in the current rate base. Staff believes that that is the situation in this case.

If an owner chooses to sell a utility, the owner is not required to offer the system to the homeowners or the county unless he has a binding contract that imposes such a requirement on the utility. However, the Commission must approve any transfer of a utility before it is completed. In the case of Mr. Sims transferring ownership of the Shady Oaks system to himself and his wife, staff believes that this is not a transfer so much as a name change. The control of the utility is in the same hands. When considering the issuance of a certificate to a new utility, the Commission considers whether a prospective owner of a utility is competent to own and/or operate a utility system. However, Mr. Sims began operating this system prior to the time that the Commission obtained jurisdiction over the Shady Oaks system.

Staff review of the debt instruments to Mr. Sims and his son consisted of reviewing each of the loan agreements. However, the loan agreements did not specify the reason for the loan. This situation is not unusual, especially in a small utility system. It is very difficult to trace debt to particular items of plant or operations. However, staff has only included an amount of debt equal to the owner's investment in the utility plant which is serving the current customers. Any excess debt is assumed to be for non-utility plant or operations and is, therefore, not included in the calculation of rates. The Commission usually allows the actual cost of debt which the utility pays. However, when the debt is not an arms-length transaction, the Commission reviews the rate for reasonableness. The debt cost proposed by the utility was 17.254%. Because this debt was to the owner and his son, staff looked closely at the stated rates. Staff adjusted the interest rate down to 13.4% to reduce the stated rates to the prime rate, at the time of each loan, plus 3%. Many of the utilities which the Commission regulates have high interest rates. A utility is usually unable to acquire debt at current mortgage rates quoted in the newspapers. Even several of the large utilities regulated by the Commission acquire debt at prime plus 2%.

When staff was considering the number of hours per week spent for bookkeeping, staff was considering the hours necessary to process monthly payments. While the customers do not currently pay monthly, the staff recommendation is to convert to monthly rates. Many customers were concerned by the "free hospitalization" paid for the two "part-time employees." Staff recommended this expense as the two employees are the officers of the mobile home park and a portion of their hours are spent on the utility. Staff believes that it is reasonable that the company officers receive hospitalization insurance and that a portion of the cost be allocated to the various functions in which the officers are involved. Only 25% of these costs have been allowed as an expense for the utility. Staff further

applied this same logic to the allowance of automobile expenses for Mr. Sims. The staff recommendation was to allow insurance only on Mr. Sims' car as that is the car used mainly in utility business. His vehicle is a 1978 Chevrolet Malibu. The yearly insurance expense on his car was $571. Staff recommended that 35% be allocated to the mobile home park. Therefore, the utility was allocated only the remaining $370.

The utility has maintained a contract with Mathis Water and Wastewater, Inc. for operation of the facilities. During the test year, the utility was charged $350 per month for this contract service. While a DER representative may have stated that the Shady Oaks system is a relatively simple system to operate, DER rules require that a certified operator operate a plant a specific minimum number of hours each week. Mathis Water and Wastewater provides this service. Based on staff's review of numerous other utilities the size of Shady Oaks, staff believes that the yearly expense for this service is below the average and is quite reasonable.

Many customers were concerned with the expense staff recommended for preventative maintenance. While the owner may not have provided sufficient preventative maintenance in the past, staff believes that if the expense is not included in rates, the owner will not provide this service in the future. The utility is responsible for maintaining the entire utility treatment and transmission/distribution and collection system up through the customers' meters. Staff will recommend that the monthly maintenance be reviewed at the same time that the proposed construction is reviewed.

Several customers commented on the $250 rent for the office at the mobile home park and the liability insurance expense. Staff will investigate the issue of this rent expense further before we make our final recommendation. Mr. Sims stated to staff that he had previously had liability insurance but had not been able to afford it recently. His desire was to purchase a new policy. Therefore, staff believed that a reasonable expense should be included in the recommendation.

While Mr. Sims may not have always paid the real estate taxes in the past, if staff did not include these expenses in the rates, we would not be allowing Mr. Sims any way to make these payments in the future. The Commission does not put itself in the position of policing each utility to make sure that its property taxes are paid. If it comes to our attention that a utility is near foreclosure we will work with the parties to facilitate the best resolution of the situation.

Most of the customers are concerned about the status of their relationship with Mr. Sims regarding the $300 per year payment. The Commission has no authority over this relationship or over the non-utility services which are supposed to be provided. This question must be discussed between the customers and Mr. Sims and, if not resolved, it would be a matter for the circuit court. We offer no advice to you except to say that if a

homeowner does not pay these charges, nonpayment will not be a valid basis on which the utility may curtail or otherwise harm either the water or wastewater service.

The term "annualized revenues prior to increase" is merely staff's estimate of the annual revenues received by the utility. The only significance to this figure is to calculate the percentage increase (or decrease) in revenues. The total revenues recommended after the increase is based on the recommended level of expenses and rate of return and is not associated with the annualized revenues prior to increase.

Many customers expressed concern regarding the estimated customer consumption used to set rates. Because the customer usage has not been previously metered, there is no adequate historical data for this system to determine customer consumption. Therefore, staff used an estimate based on average usage in other mobile home parks in Florida. While not every customer resides in Shady Oaks for twelve months, and not every household has two persons who use 100 gallons per day each, staff believes that the estimated 6,000 gallons per month is a satisfactory average. Staff also agrees that the swimming pool, laundry and office are not typical household users of water. However, staff believes that the total of 6,000 gallons per month per customer is a good estimate of all water used by all sources.

The estimated total usage is applied to the variable expenses of the utility to calculate a gallonage charge. If the estimated total gallons is too high, the utility may not recover all of its variable costs. The utility will likely ask the Commission for higher rates if the actual recorded usage turns out to be materially lower than the estimate. If the estimated total gallons is too low, the utility may recover more than its variable costs. Staff may open an investigation to reduce rates if the annual report review indicates an overearnings situation.

The Commission has reviewed the issue of determining wastewater charges on water usage and believes that it is an appropriate measure for determining wastewater charges, provided that there is a cap that provides for the assumption that not all water sold goes back to the waster system. Therefore, the wastewater charges are calculated based on an estimate that 20% of a residential customer's water usage is not returned through the wastewater system. The non-residential rates are calculated based on the estimate that only 4% of the water usage is not returned through the wastewater system.

The staff recommendation contemplates that Mr. Sims will begin installing water meters in late February or early March. A 5/8 x 3/4" meter should be installed at each residential customer's premises. Mr. Sims has informed staff that he intends to read the meters on a monthly basis. Staff has included his time for this duty in the operating expenses. This should not be a particularly time-consuming task. At this time, staff believes that because Mr. Sims is familiar with the area, he may be the most appropriate person for

this task. Of course, he has the option of hiring a qualified meter reader to perform this task.

The service availability charges of $1,400 recommended by staff are charges which new customers will be required to pay upon connection to the system. Current customers will not be required to pay this charge. Nor would new customers moving into currently occupied lots. These charges are required only for new (initial) service connections to lots that do not now have vested rights to service.

Thank you again for interest in responding to the staff reports. If you should have any further questions please call the Division of Water and Sewer at (904) 488-8482 or Denise Vandiver at (904) 487-2092. We shall be pleased to assist you further.

Sincerely,

Denise N Vandiver

Denise N. Vandiver
Economic Analyst

cc: Richard Sims

Customer Letters

Mr. and Mrs. A. W. Galloway
3643 Muller Drive
Zephyrhills, FL 33540

Frances and Leonard Miller
3626 Castle Drive
Zephyrhills, FL 33540

Charles C. Kent
38522 Stafford Drive
Zephyrhills, FL 33540

Charles McClelland
38603 Monet Drive
Zephyrhills, FL 33540

William Knapp
3667 Muller Drive
Zephyrhills, FL 33540

Ronald Kohl
38412 Beniger Drive
Zephyrhills, FL 33540

Sylvia and Lawrence Van Geison
3559 Castle Drive
Zephyrhills, FL 33540

Ruth and Ralph Cole
38440 Willoughby Drive
Zephyrhills, FL 33540

Dorothy and Robert Hein
3620 Castle Drive
Zephyrhills, FL 33540

George and Frances Bispo
3634 Muller Drive
Zephyrhills, FL 33540

Frank Mallon
38546 Stafford Drive
Zephyrhills, FL 33540

Herbert J. McClain
3738 Muller Drive
Zephyrhills, FL 33540

Robert M. and Dorothy K. Bird
38553 Monet Drive
Zephyrhills, FL 33540

Betty and Edward Peasley
38608 Monet Drive
Zephyrhills, FL 33540

Ben I. and Mary C. Weld
38449 Willoughby Drive
Zephyrhills, FL 33540

Mildred Johnston
38517 Cone Drive
Zephyrhills, FL 33540

Oscar Hulber
38609 Stafford Drive
Zephyrhills, FL 33540

Joseph and Ina LeRoy
38400 Beniger Drive
Zephyrhills, FL 33540

Mr. and Mrs. Carrol Meeusen
3524 Castle Drive
Zephyrhills, FL 33540

Donald H. Storr
38425 Beniger Drive
Zephyrhills, FL 33540

Kenneth and Virginia Libby
3613 Castle Drive
Zephyrhills, FL 33540

Alvin and Marcia Lachapelle
3723 Muller Drive
Zephyrhills, FL 33540

Robert W. Lindahl
38546 Beniger Drive
Zephyrhills, FL 33540

Mr. and Mrs. M. W. McBride
3538 Castle Drive
Zephyrhills, FL 33540

Carol and Daniel Cole
38437 Beniger Drive
Zephyrhills, FL 33540

Leo and Ruth Borte
3651 Muller Drive
Zephyrhills, FL 33540

John P. Boyce
38523 Beniger Drive
Zephyrhills, FL 33540

Commissioners:
MICHAEL McK. WILSON, Chairman
GERALD L. (JERRY) GUNTER
JOHN T. HERNDON
THOMAS M. BEARD
BETTY EASLEY

State of Florida

STEVE TRIBBLE, Director
Division of Records & Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

TO: STEVE TRIBBLE, DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM: CAROL C. CAUSSEAUX, CHIEF, BUREAU OF REPORTING

DATE: December 28, 1990

SUBJECT: Docket No. 900025-WS
DN 11393-90 (Customer Hearing) 11-28-90

The transcript for the above-described hearing has been completed and is being submitted for filing in the docket file.

Please note that staff distribution of this transcript was made to: Legal, PC, W&S, CMU, Clerk

The following exhibits are being filed with this transcript:

N/A

The following exhibits have not been furnished to the Bureau of Reporting to date and are not filed herewith:

Acknowledged By:

CCC/pc/mmc

Commissioners:
THOMAS M. BEARD, CHAIRMAN
GERALD L. GUNTER
MICHAEL WILSON
BETTY EASLEY
FRANK S. MESSERSMITH

State of Florida



STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

1-4-91

TO: All Interested Persons

FROM: Steve Tribble, Director of Records and Reporting

RE: Commission Agenda, January 15, 1991

Attached is an excerpt of the Agenda for the Commission's regular conference, which is scheduled to begin at 9:30 a.m. on the date referenced above in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The attached excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. You may do so by calling the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register under the appropriate agenda item when you arrive. The register is located on a table at the back of the hearing room near the double doors.

The Chairman will announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

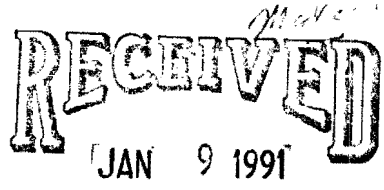
If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

PSC/RAR 34 (Rev 1/91)

MEMORANDUM

January 4, 1991



TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (PALMER) ZCP

RE : DOCKET NO. 900025-WS - APPLICATION OF SHADY OAKS MOBILE-MODULAR ESTATES, INC. FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY.

Please place the following names on the mailing list in the above-referenced docket:

Frank & Stella Mallon
38546 Stafford Drive
Zephyrhills, FL 33540

Bill & Mickie Reilich
38441 Stafford Drive
Zephyrhills, FL 33540

Robert W. Loudaks
38546 Beniger Drive
Zephyrhills, FL 33540

John & Marie Boyce
38523 Beniger Drive
Zephyrhills, FL 33540

Ester Haken
38601 Beniger Drive
Zephyrhills, FL 33540

Clarence & Marie Kellenhafer
3652 Muller Drive
Zephyrhills, FL 33540

John A. Williams
38602 Stafford Drive
Zephyrhills, FL 33540

Ernest D. Samuelson
38551 Stafford Drive
Zephyrhills, FL 33540

Gloria V. Lindahl
38546 Beniger Drive
Zephryhills, FL 33540

Carol & Daniel Cole
38437 Beniger Drive
Zephyrhills, FL 33540

Mr. & Mrs. Storr
38425 Beniger Drive
Zephyrhills, FL 33540

Mr. & Mrs. Julio Barow
3767 Muller Drive
Zephyrhills, FL 33540

Edith Malott
3720 Muller
Zephyrhills, FL 33540

Herbert J. McClain
3738 Muller Drive
Zephyrhills, FL 33540

Catherine L. Knapp
3667 Muller Drive
Zephyrhills, FL 33540

Bill Schneider
3633 Muller Drive
Zephyrhills, FL 33540

Frances Bespo
3634 Muller Drive
Zephyrhills, FL 33540

Floyd & Helen Wolters
3714 Muller Drive
Zephyrhills, FL 33540

Louise & Len Miller
3626 Castle Drive
Zephyrhills, FL 33540

Carl & Betty Broberg
3734 Castle Drive
Zephyrhills, FL 33540

Mr. & Mrs. Robert E. DeNio
3607 Castle Drive
Zephyrhills, FL 33540

M.W. McBride
3538 Castle Drive
Zephyrhills, FL 33540

Mr. Carrol Meeusen
3354 Castle Drive
Zephyrhills, FL 33540

Mr. Kenneth Libby
3613 Castle Drive
Zephyrhills, FL 33540

Mr. & Mrs. Lyle A. Warren
3750 Castle Drive
Zephyrhills, FL 33540

Ann & Edward Roix
3619 Castle Drive
Zephyrhills, FL 33540

Ronald J. Braidwood
3758 Castle Drive
Zephyrhills, FL 33540

Charles W. McClelland
38603 Monet Drive
Zephyrhills, FL 33540

Richard Gasfield
38615 Monet Drive
Zephyrhills, FL 33540

Mr. & Mrs. H.E. Peneton
113 Park Drive North
McComb, Ohio 45858

Ida Chapman
38436 Willoughby
Zephyrhills, FL 33540

TCP/lp
cc: Division of Water and Sewer

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Clarence & Marie Kellenhafer
3652 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Kellenhaffer:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. & Mrs. Storr
38425 Beniger Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Storr:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Ester Haken
38601 Beniger Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Haken:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Carol & Daniel Cole
38437 Beniger Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Cole:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

John & Marie Boyce
38523 Beniger Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Boyce:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Gloria V. Lindahl
38546 Beniger Drive
Zephryhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Lindahl:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Robert W. Loudaks
38546 Beniger Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Loudaks:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Ernest D. Samuelson
38551 Stafford Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Samuelson:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Bill & Mickie Reilich
38441 Stafford Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Reilich:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

John A. Williams
38602 Stafford Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Williams:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Frank & Stella Mallon
38546 Stafford Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Mallon:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

RECEIVED
JAN 9 1991
FPSC-RECORDS / REPORTING

January 8, 1991

Ida Chapman
38436 Willoughby
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Chapman:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Ronald J. Braidwood
3758 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Braidwood:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Charles W. McClelland
38603 Monet Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Charles W. McClelland:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. & Mrs. H.E. Peneton
113 Park Drive North
McComb, Ohio 45858

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Peneton:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Ann & Edward Roix
3619 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Roix:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting ✓

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. Kenneth Libby
3613 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Libby:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting ✓

Commissioners:
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Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. & Mrs. Lyle A. Warren
3750 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Warren:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Tom Palmer

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. Carrol Meeusen
3354 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Meeusen:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

M.W. McBride
3538 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear M.W. McBride:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. & Mrs. Robert E. DeNio
3607 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. DeNio:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Carl & Betty Broberg
3734 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Broberg:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Louise & Len Miller
3626 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Miller:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Floyd & Helen Wolters
3714 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Wolters:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting ✓

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Frances Bespo
3634 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Bespo:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting ✓

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Bill Schneider
3633 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Schneider:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Catherine L. Knapp
3667 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Knapp:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Herbert J. McClain
3738 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. McClain:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Richard Gasfield
38615 Monet Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Gasfield:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Edith Malott
3720 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Malott:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

Public Service Commission

January 8, 1991

Mr. & Mrs. Julio Barow
3767 Muller Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Barow:

Attached is a copy of the Staff Recommendation filed in this matter on January 3, 1991. The Commission is expected to consider this Recommendation at its January 15, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Thomas C. Palmer
Staff Attorney

TCP/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Public Service Commission

Division of Legal Services
Robert D. Vandiver, *Director*
(904) 487-2740

January 10, 1991

RECEIVED
JAN 11 1991
FPSC-RECORDS / REPORTING

Mr. Richard D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case.

Dear Mr. Sims:

Your letter to me on a "message/reply" form dated December 22, 1990, was received on December 26, 1990, while I was on vacation.

I enclose one copy of the 27 written complaints you requested.

Sincerely yours,

Thomas C. Palmer
Staff Attorney

TCP/lp
cc: Division of Records and Reporting
Division of Water and Sewer (H. Landis)
Economic Regulation Standards Control (D. Vandiver)

M E M O R A N D U M

February 7, 1991

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (PALMER) RP TCP

RE : DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

34084

Attached is a Final Order Granting Temporary Rates in Event of Protest and Notice of Proposed Agency Action Order Approving Increased Rates and Charges, and Requiring Improvements and Reports in the above-referenced docket, consisting of -44- pages, including schedules, which is ready to be issued.

TCP/lp
cc: Division of Water and Sewer

Commissioners:
THOMAS M. BEARD, CHAIRMAN
GERALD L. GUNTER
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

February 25, 1991

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

Commissioners:
THOMAS M. BEARD, CHAIRMAN
GERALD L. GUNTER
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

March 13, 1991

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

M E M O R A N D U M

March 18, 1991

TO: BOB PIERSON, MATT FEIL, CATHY BEDELL, MJ LORD, NAYOLA FRAZIER

FROM: NOREEN S. DAVIS

RE: REASSIGNMENT OF TOM PALMER'S CASES

Tom's cases have been redistributed as follows:

BOB Pierson	900565-WS - Shadowrock	(SARC)
	900246-SU - Ranch Mobile	(SARC)
MATT Feil	900683-WS - College Manor	(SARC)
	900025-WS - Shady Oaks	(SARC)
	900757-SU - Naples Industrial	(Rates)
CATHY Bedell	900889-WS - El Jobean	(Objection)
	900656-WU - Hobe Sound	(Rates)
	900835-WS - Indiantown	(CIAC Gross-up)
	900840-WS - Tradewinds	(CIAC Gross-up)
MJ Lord	900380-WU - Corkscrew	(Complaint)
	900749-WS - Arbor Oaks	(SARC)
	Undktd - Placid Lakes	(Collection of Unapproved Charges)
NOREEN Davis	900701-WU - Pine Ridge	(AFPI)
	900966-WS - Homasassa	(SARC)
NAYOLA Frazier	900598-WS - Parkland	(SARC)
	900769-WS - Lake Utilities	(SARC)

NSD/sc

cc: Chairman's Office (Fisher)
Division of Legal Services (Craig, Brunson)
Division of Records and Reporting (Simmons, Purvis)
Division of Water and Sewer (Hill, Lowe, Willis, Williams, Shafer, Bivins, Crouch)

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

RECEIVED
MAR 2 2 1991
FPSC-RECORDS / REPORTING

March 21, 1991

Fred B. Petersen
3540 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Petersen:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting ✓

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Kenneth Patchen
38523 Monet Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Patchen:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Charles Beck
3558 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Beck:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Richard D. Sims
38616 Shady Oaks Drive
Zephyrhills, FL 33540-6526

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. Sims:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Mr. & Mrs. H.E. Peneton
3604 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Peneton:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Mr. & Mrs. Ollie Mitchell
3552 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Mitchell:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Mr. & Mrs. Spencer Johnson
38630 Monet Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Johnson:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Mr. & Mrs. M.W. McBride
3538 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. McBride:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Mr. & Mrs. Carrol Meeusen
3524 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Mr. & Mrs. Meeusen:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF LEGAL SERVICES
ROBERT D. VANDIVER,
DIRECTOR
(904) 487-2740

Public Service Commission

March 21, 1991

Idell Houston
3608 Castle Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for a staff-assisted rate case in Pasco County.

Dear Ms. Houston:

Attached is a copy of the Staff Recommendation filed in this matter on March 21, 1991. The Commission is expected to consider this Recommendation at its April 2, 1991 Agenda Conference which will be held in Room 106, Fletcher Building, 101 East Gaines Street, Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to that Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (904) 487-2740.

Sincerely,

Matthew Feil
Staff Attorney

MF/lp
Attachment/Recommendation
cc: Division of Water and Sewer
Division of Records and Reporting

DON:

Please change numbers in address for

CARROL MEEUSEN

Correct address:

CARROL MEEUSEN
3524 Castle Drive
Zephyrhills, FL
33540

Thanks,

Lisa

Commissioners:
THOMAS M. BEARD, CHAIRMAN
GERALD L. GUNTER
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

March 22, 1991

TO: All Interested Persons

FROM: Steve Tribble, Director of Records and Reporting

RE: Notice of Commission Conference

Attached is an excerpt of the Agenda for the Commission's regular conference, which is scheduled to begin at 9:30 a.m. on April 2, 1991 in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The attached excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

M E M O R A N D U M

April 22, 1991

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (FEIL)

RE : DOCKET NO. 900025-WS - APPLICATION OF STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

24409

Attached is an Order Dismissing Protest and Making Order No. 24084 Final and Effective in the above-referenced docket, consisting of ~~4~~ 3 pages, which is ready to be issued.

MJF/lp
cc: Division of Water and Sewer (Shafer)

Commissioners:
THOMAS M. BEARD, CHAIRMAN
GERALD L. GUNTER
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

May 13, 1991

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 30, 1991

RECEIVED
JUN - 3 1991
FPSC-RECORDS / REPORTING

Mr. Steve Tribble
Director, Records and Reporting
Florida Public service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Docket Number 900025-WS
Shady Oaks Mobile-Modular Estates, Inc.
Staff assisted rate case

Dear Mr. Tribble:

Shady Oaks Owners Association would like to update its mailing request re: Docket No. 900025-WS. Please send a copy of all notices and reports to the following:

- Shady Oaks Owners Association, Inc., PO Box 1030, Crystal Springs, FL 33524
- Robert Lindahl, 38546 Beniger Dr., Zephyrhills, FL 33540
- Dorothy Bird, 38553 Monet Dr., Zephyrhills, FL 33540
- Herbert J. McClain, 3738 Muller Dr., Zephyrhills, FL 33540
- John A. Williams, 38602 Stafford Dr., Zephyrhills, FL 33540
- Vera L. Peterson, 3542 Castle Dr., Zephyrhills, FL 33540
- Barbara McBride, 3538 Castle Dr., Zephyrhills, FL 33540

The above listed are officers of the Association.

We would especially appreciate copies of all Shady Oaks Mobile-Modular Estates/S&D Utility financial reports.

Thank you for your consideration.

Sincerely,

Robert W. Lindahl
President

RWL/db

State of Florida

Public Service Commission

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

DATE: June 7, 1991
TO: Division of Records and Reporting
FROM: Denise Vandiver DV
RE: Docket No. 900025-WS; Shady Oaks Mobile-Modular Estates,Inc.

Attached are copies of letters staff has received from the utility and the customers in the staff-assisted rate case for Shady Oaks. This case is in a monitor status. In September, staff will review the quality of service and several other issues specified in Order No. 24084. Many of these letters address concerns related to the upcoming review. Therefore, these letters should be included as correspondence in the docket file.

RECEIVED
JUN - 7 1991
FPSC-RECORDS / REPORTING

State of Florida

Commissioners:
MICHAEL WILSON, CHAIRMAN
THOMAS M. BEARD
BETTY EASLEY
GERALD L. (JERRY) GUNTER
FRANK S. MESSERSMITH

FLETCHER BUILDING
101 EAST GAINES STREET
TALLAHASSEE, FL 32399-0850

Public Service Commission

October 19, 1990

Mr. Richard D. Sims
Shady Oaks Mobile-Modular Estates, Inc.
1315 Eckles Drive
Tampa, Florida 33612

Dear Mr. Sims:

As we discussed, I have completed the accounting report for this docket and the next step is for you to review the accounting and engineering reports and advise us of any concerns you have with the reports. The reports are preliminary and there are several items which may change, depending on the information we receive from you. Three items which I am now requesting additional information on, are the bankruptcy proceeding, the real estate taxes and the ownership of the utility land.

Regarding the bankruptcy proceeding, please send me a copy of the settlement and a discussion on what items were forgiven or set up in payment schedules. Specifically include a comment on the numerous promissory notes between Shady Oaks and you and your wife.

I did not include real estate taxes in the accounting report. The notice which you sent was only a delinquent tax notice. The information which I need is the most recent tax bill which states the valuation of the property, the millage rates, the property description and the actual tax for the year. If you can, also include a note as to specifically which property is included on the tax bill and the total acreage.

The last area of concern is the ownership of the utility land and other tangible property. As we discussed after the audit exit conference, the Commission requires a utility to own the land on which it operates. Our other concern is that the land and the improvements and miscellaneous equipment and inventory are all owned by the same entity - the utility. Based on our discussion, it appears to me that you would agree to this. I talked with the staff attorney assigned to this case he recommends that you do the following to tie up all the loose ends. The following steps are based on keeping the transaction as close to what it currently is now. If you desire to separately incorporate the utility or transfer it back to the mobile home park or choose another method, the steps would be similar but would require some modification.

1) Transfer all the land to Richard D. and Caroline Sue Sims, d/b/a Shady Oaks Utility,

2) Draw up a contract of sale for all utility property and miscellaneous equipment and inventory from Shady Oaks Mobile-Modular Estates, Inc. to Richard D. and Caroline Sue Sims d/b/a/ Shady Oaks Utility,

3) Register the name Shady Oaks Utility as a fictitious name with the County Courthouse,

4) File for a name change with the Public Service Commission.

The customer meeting is tentatively scheduled for late November and the agenda conference before the Commission is scheduled for January 15, 1991. Therefore, to include this information I will need your response to these requests before November 30, 1990. If you should have any questions, please call me. I am in the Economic Regulation Standards Control section of the Commission and my phone number is (904) 487-2091.

Sincerely,

Denise N. Vandiver

Denise N. Vandiver
Economic Analyst

38553 Monet Drive
Zephyrhills, FL 33540
November 29, 1990

RECEIVED
DEC 04 1990
Fla. Public Service Commission
Division of Water and Sewer

Mr. Greg Shafer
Chief, Bureau of Special Assistance
Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301-8153

Dear Mr. Shafer:

First of all, let us commend you on your excellent handling of last night's customer meeting at Shady Oaks. The entire group of PSC representatives displayed a very high degree of professionalism, and we were very impressed with your concerns on all sides of the issue. We came away with a good feeling, knowing that if there is any fair way to settle this issue, you will certainly try your best to arrive at it in the six short weeks you have to bring it to a reasonable conclusion.

We are enclosing an amended copy of the report we submitted to you, realizing that in an effort to be clear we have muddied things up for you. We also found it necessary to make a correction on page 2. In the hope that this will clarify our concerns and make them easier to answer, we submit pages 2 through 5 to replace those of the previous document.

Again, thank you. The conduct of the meeting on everyone's part surpassed all our expectations. If we can be of any further help to you, please let us know. We can be reached by telephone at (813)788-1196.

Sincerely,

Robert M. Bird

Robert M. Bird

Dorothy K. Bird

Dorothy K. Bird

cc: Mr. Bill Lowe
Mr. Tom Palmer

Mr. Lowe,

Thank you for your help. We are getting together information and look foward to seeing you in Tallahassee in January. We were very favorably impressed by you and your staff.

Dottie Bird

R. M and D.K. Bird
38553 Monet Drive
Zephyrhills, FL 33540

TAMPA, FL 336
1 PM
30 NOV
1990

Mr. Bill Lowe
Florida Public Service Commisssion
101 East Gaines Street
Tallahassee, FL 32301-8153

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Division of Water & Sewer
Charles H. Hill, *Director*
(904) 488-8482

Public Service Commission

December 19, 1990

Mr. John P. Boyce
Shady Oaks Modular Mobile Home Park
38523 Beniger Dr.
Zephyrhills, Florida 33540

Dear Mr. Boyce,

Thank you for your correspondence regarding Docket No. 900025-WS, Shady Oaks Modular Mobile Home Park Staff Assisted Rate Case. You have enumerated many of the same complaints and events in your letter that your neighbors mentioned at the customer meeting. As the Staff attorney, Tom Palmer, and I attempted to explain, the Commission believes it has the sole rate setting authority for utilities under its jurisdiction, regardless of any deed restrictions and covenants entered into by the developer and the home owner. This allows the Commission to provide the utility the opportunity to earn a fair return on its investment and at the same time ensure that the customers receive adequate service at a fair price.

In regard to the other services Mr. Sims contracted to provide, the decision of the court case brought by the home owners should remain binding on Mr. Sims. However, the Public Service Commission, has no statutory authority to enforce or in anyway involve itself in services other than water and sewer utility services.

I can assure you that the information received at the customer meeting and in letters like yours from residents in Shady Oaks will have an influence on our recommendation to the Commission. We will do what we can to be sure that the Commissioners are aware of the situation with this utility prior to them making a decision on January 15, 1991.

Sincerely,

Gregory L. Shafer
Bureau Chief, Special Assistance

GS/gs

cc: Charles Hill

MESSAGE/REPLY

TO:
Mrs. Denise Vandiver
Public Service Commission

1-7-91

FROM:
SHADY OAKS
38616 Shady Oaks Dr.
Zephyrhills, Fl. 33540-6526

MESSAGE

Dear Denise:

Concerning your recomendation of with-holding approximately $14.00 from the base rate of $44.41, this amounts to approximately 32% of the base rate. We believe that an amount of 10% of the base rate should be sufficient. After all, you know, we have been running this place for 19 years, and we are very desirous of expanding our sewer plant as rapidly as possible. In fact, the minute the Commission approves the base rate we will start letting out bids. I would appreciate your bringing this to the attention of your supervisor as soon as possible.

Very truly yours,

R. D. Sims

R. D. Sims

cc: Norman Meeres

REPLY

RECEIVED
JAN 10 1991
Fla. Public Service Commission
Division of Water and Sewer

SEND PARTS 1 AND 3 INTACT
Adams 9023

SHADY OAKS
38616 Shady Oaks Dr.
Zephyrhills, Fl. 33540-6526

Mr. Hank Landis
Division of Water and Sewer
Public Service Commission
101 E. Gaines Street
Tallahassee, Fla. 32399-0864

TO: COMMISSIONERS, FLORIDA PUBLIC SERVICE COMMISSION

FROM: SHADY OAKS OWNERS ASSOCIATION, INC.
ZEPHYRHILLS, FLORIDA
represented by:
ROBERT M. BIRD, CHAIRMAN OF UTILITIES COMMITTEE

RE: DOCKET NUMBER 900025-WS, Staff-assisted rate case for Shady Oaks Mobile-Modular Estates, Inc. in Pasco County

DATE: JANUARY 17, 1991

Mr. Chairman and Commissioners:

My name is Robert Bird; I am the chairman of the Utilities Committee of the Shady Oaks Owners Association. I am representing an association of 182 homeowners today in speaking before this commission. Backing me up are Robert Lindahl, president of the Shady Oaks Owners Association and Dorothy Bird, vice-president of the Association, who has done much of the research and correspondence on this docket. Many of our residents who wanted to be here today were unable to attend because of the distance involved. Shady Oaks is about 240 miles from Tallahassee, and it's quite a trip for many folks in their 70's, 80's and 90's to undertake. However, we have residents in the audience who left their homes in the wee hours of this morning to be here, and we very much appreciate their support. I would ask them to stand briefly so you will know who they are.

I would also like to express my appreciation, and that of the Association, to the Public Service Commission Staff for their professional handling of this rate case. They have listened to our concerns, answered our questions to the best of their ability, and have been very cooperative over all.

Most of the concerns our residents expressed at the customer hearing on November 28 have been positively addressed by the Staff, as shown by the following examples:

1. Our complaints about the unsatisfactory quality of service being provided by the utility were recognized by the Staff and

penalties to guard against future unsatisfactory service have been recommended.

2. The application of escrow to revenues has been proposed by Staff to assure utility compliance with the DER mandate with regard to the percolation pond construction.

3. Staff's recognition of poor maintenance and the inclusion of a mechanism in the rate case docket to assure that funds allocated for this purpose are actually applied to preventive maintenance work are very positive measures.

We think the Staff has addressed these concerns in a fair manner, and achieved this during the high stress, short-time holiday period between Thanksgiving and New Year's. They are to be commended.

We have compared the recommended rates with other utilities in our area, and while these are a little higher, they do not seem to be out of line for a public utility.

Let me point out, however, that as a result of Staff's final recommendations and other intervening developments, we now have some additional concerns.

In this rate case, the utility contends that legal issues and low revenues have been substantially the cause of its service problems with the customers and the DER and its precarious financial position (Issue 2, pages 5 & 6 and Issue 24, page 39). The customers contend that low revenue is not the sole cause of unsatisfactory service provided by the utility; minimal maintenance played a considerable part in this condition. We would further note that the financial position the utility owner finds himself in due to legal problems is solely of his own creation.

Issue 5 has touched upon the proposed location of the new percolation pond. Staff has indicated that the utility was required to dedicate this land with its attendant commercial value to pond use because the engineering survey showed it to be the most suitable location. Many residents are concerned about this location because of its proximity to their backyards and the negative effect the prevailing winds will have upon their olfactory senses. The Utility Committee of the Shady Oaks Owners Association takes the

(issue 26, page 45, item 2, Normal Reconnection), will a customer be permitted seasonal disconnect of water and sewer service? If so, will the base charge be waived during the period of disconnection?

These are our concerns. The past several years have been a wearying and confrontational experience for the residents of Shady Oaks, but it is our hope that the establishment of an orderly financial structure for the utility will lead to a healing process between the owner of the utility and the residents of the community. We thank you, gentlemen, for your consideration in resolving these issues.

Call Dev

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MAR 04 1991
Fla. Public Service Commission
Division of Water and Sewer

RECEIVED
MAR 1 1991
FPSC-RECORDS / REPORTING

Director, Division of Records & Reporting
101 E. Gaines St.
Tallahassee, Fla. 32399-0870

Petition of Objection or Protest

In re: Application for staff assisted rate case in Pasco County by SHADY OAKS MOBILE MODULAR ESTATES, INC.

DOCKER NO: 900025-WS
ORDER NO: 24084
ISSUED: 2-8-91

RE: To pages 5 and 6 of above Docket No. 900025-WS. The proposed percolation pond approved by D.E. R. and directly related to the waste water rates for Shady Oaks Est.

We, the following property owners, wish to protest the construction of this pond. We feel this pond would be a hazard to our health and welfare. These ponds would be within 100 feet of our property lines causing offensive odors and other health hazards, mosquitoes, etc. We are aware there is another method available for waste water treatment for this system, which in our thinking is a more up to date, more sanitary and less costly in the long run.

With these ponds at propsed location our property values will be greatly reduced as well as all the balance of property in Shady Oaks Estates.

Howard E Penelton
Margaret Penelton
3604 CASTLE DR.
ZEPHYRHILLS, FL. 33540

Charles E. Beck
Norma E. Beck
3558 CASTLE DR.
ZEPHYRHILLS, FL. 33540

Barbara Mc Bride
Merel W. McBride
3530 Castle Dr
Zephyrhills FL 33540

Clarence Thuson
Dutchen D Johnson
38630 Monet Dr.
Zephyrhills, FL 33540

Allen Mitchell
Jean Mitchell
3552 Castle Dr
Zephyrhills FL 33540

Estell Houston
3608 Castle Dr

Fred B Petersen
Mable B. Petersen
3540 Castle Dr.

Cora M Clemson
Cora M Clemson
35254 Castle Dr 33540

Kenneth A. Patchen
Elda S. Patchen
38523 Monet Dr, 33540

Copy to: D.E.R.

DOCUMENT NUMBER-DATE
02093 MAR-1 1991
FPSC-RECORDS/REPORTING

Commissioners:
Michael McK. Wilson, *Chairman*
Thomas M. Beard
Betty Easley
Gerald L. (Jerry) Gunter
Frank S. Messersmith

State of Florida

Public Service Commission

Division of Water & Sewer
Charles H. Hill, *Director*
(904) 488-8482

February 26, 1991

Mr. Richard D. Sims
Shady Oaks Mobile-Modular Estates, Inc.
1315 Eckles Drive
Tampa, Florida 33612

Re: Docket 900025-WS, Staff Assisted Rate Case for Shady Oaks Mobile-Modular Estates, Inc.

Dear Mr. Sims:

This letter is in response to your memorandum to Hank Landis dated February 21, 1991 regarding a property appraisal and to request your cooperation in two other matters. In your memorandum you cite page 7 of Order Number 24084 as stating an independent appraisal was used as a basis for determination of land cost in your case. I believe you refer to the last sentence of the second full paragraph. I believe you will find on closer reading that the reference is to a previous Commission case and not yours. In addition, the following paragraph clearly states that in the Shady Oaks case the Pasco County Property Appraisal was used and factored up by 35% to attain the value used by the Commission. Therefore, we do not have an independent appraisal to send you.

The second matter I wish to address is rates being charged for vacant, unmetered lots. After some discussion among Staff members it is our consensus that in this case vacant lots should not be charged for water service if no water service has been requested by the owner and no meter has been installed. No meter shall be installed unless specifically requested by the lot owner. Once the new rates are effective we would appreciate your cooperation on this matter.

Finally, in informal discussion with homeowners in Shady Oaks they expressed an interest in the utility establishing some regular office hours to enable them to pay their bills without having to mail them. This does not seem unreasonable and we suggest you take action to make someone available for this purpose several hours a week at regular intervals for this purpose. In addition, post the hours that someone will be there for everyone to see.

We appreciate your cooperation regarding these issues. Should you have any additional questions please contact Hank Landis, Denise Vandiver or me at (904) 488-8482.

Sincerely,

Gregory L. Shafer
Chief of Special Assistance

cc: Charles H. Hill
Robert M. Bird
Lyle Warner
D. D. Ricketts

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

FLETCHER BUILDING
101 EAST GAINES STREET
TALLAHASSEE, FL 32399-0850

Public Service Commission

February 28, 1991

Mr. Richard D. Sims
1215 Eckles Drive
Tampa, FL 33612

Dear Mr. Sims:

I received your questions and proposed customer notice. I have responded to your concerns below. Many of your concerns cannot be incorporated in the tariff as the pages which I sent you are based on rules adopted by the Commission. I sent you a copy of Chapter 25-30 and 25-9 of the Florida Administrative Code. These rules must be followed by all utilities under the Commission's jurisdiction. All of the rates and charges shown in the tariff were in the staff recommendation you received for the January 19, 1991 Agenda Conference. The appropriate time to question the rates and charges was at that time, either in person at the agenda Conference or in writing.

Regarding your comment that you have told the persons sending you past due bills to send the bills to the Commission, that is not a satisfactory solution. The Commission Order specifically states what the escrow account is for and your past due bills are not included. You are responsible for making payment. The funds in the escrow relate only to the penalty for quality of service and the proposed construction. The penalty funds will only be released if you have improved the quality of service in the following six months. the funds related to the proposed construction will only be released upon completion of the construction and verification by our staff engineer.

The tariff pages also need a sample customer bill attached. The sample you sent does not meet the requirements as included in Rule 25-30.335, F.A.C. The rule states that the bill must indicate: the billing period covered, the applicable rate schedule (i.e., residential), the amount of the bill, and the delinquent date (21 days after the date of the bill).

Customer Notice

(a) The customer notice must be mailed out to the customers before the effective date of the rates. The rates may not become effective until the customer notice, escrow agreement and tariff pages are approved. Your rates could have become effective as early as March 4, 1991. However, because you have not completed everything, the effective date will be postponed.

(b) The second sentence of the customer notice should be removed. Staff believes that this is an inaccurate and inflammatory statement and should not be included in the customer notice.

Water Tariff

(a) Page 10.0, #8: Rule 25-30.250(2) requires that each customer to be affected by a scheduled interruption of service should be notified in advance. Even though you describe Shady Oaks as a "closed" community, many customers may not attend a weekly meeting or pass the bulletin board. The only way for you to be sure that each customer is notified of a planned interruption in service is to provide written notice to each of the customers to be affected.

(b) Page 7.0, #3: If you do not have a standard application for service, we can delete this item from the tariff.

(c) Page 11.0, #16: Rule 25-30.335(4), Florida Administrative Code states that a utility may not consider a customer delinquent in paying his or her bill until the twenty-first day after the utility has mailed or presented the bill for payment. Therefore, you can not change the 21 days to 11 days.

(d) Page 13.0, #19: As #19 states, the customer is required to give you written notice and upon such notice and the discontinuance of the utility service, the utility shall submit a bill to the customer. If you want to implement a deposit, you should review the commission rules on deposits (25-30.311, F.A.C.). You must submit a request in writing and revised tariff pages if you want to implement a deposit. This would be handled in a separate proceeding.

(e) Pages 16.0-19.0: As stated in (c) above, the bill may not be considered delinquent until the twenty-first day after the bill has been mailed.

(f) Page 21.2: A meter bench test is when the meter is removed and sent to a person authorized to perform such a test. A meter field test is when the meter remains in the ground and a measured amount of water is sent through the meter to test the accuracy of the meter. These charges are set by Commission Rule (25-30.266, F.A.C.) and may only be changed if you submit a written request supported by accompanying data to justify a higher charge.

(g) Page 21.3: You should reread the definitions included on this page to understand when these charges may be levied. You may not charge the current customers when you install their meters. The miscellaneous service charges were approved by the Commission at the January 9, 1991 agenda conference. If you wish to change these charges you must make a written request with supporting documentation justifying the increase in

the charge. Your rates were also set at the same agenda conference. The Commission approved a flat rate for six months. This rate was set to allow you the opportunity to recover your expenses and a reasonable return on your investment. After six months, the base facility charge rate structure will become effective. Adding a "base customer charge" as you suggest would be inappropriate as the approved rates should cover all your expenses and return.

(h) Page 21.4: I have attached a revised schedule of estimated flows. The schedule I sent before had not been adjusted for the estimated flows for your utility. The plant capacity charges have been approved. As before, if you want to request a higher charge, you must make a written request and provide supporting evidence. A request for a change in service availability charges will require a filing fee. The $1.05 per gallon charge is the amount to use in calculating a plant capacity charge for a non-residential connection. The basis for these charges was discussed in the staff recommendation and the Commission order.

Wastewater Tariff

(a) Page 8.0, #7: If you do not have a standard application for service, we can delete this item from the tariff.

(b) Page 9.0, #6: Rule 25-30.036, F.A.C. details the rules to be followed when you desire to amend your authorized service territory. Order No. 15633 included a description of your territory. This description can also be found on page 3.0 of the tariff. If you plan to extend your service territory you must follow the Commission's rules.

(c) Page 10.0, #8: Rule 25-30.250(2) requires that each customer to be affected by a scheduled interruption of service should be notified in advance. Even though you describe Shady Oaks as a "closed" community, many customers may not attend a weekly meeting or pass the bulletin board. The only way for you to be sure that each customer is notified of a planned interruption in service is to provide written notice to each of the customers to be affected.

(d) Page 12.0, #16: Rule 25-30.335(4), Florida Administrative Code states that a utility may not consider a customer delinquent in paying his or her bill until the twenty-first day after the utility has mailed or presented the bill for payment. Therefore, you can not change the 21 days to 11 days.

(e) Page 13.0, #18: The "tax clause" section is a standard section of the tariff. While it may not apply currently to your utility, it may be best to leave the section in the tariff. If you would rather not include the tax clause section, it could be removed. At this point, it does not affect you, one way or the other.

(f) Page 13.0, #19: If you want to implement a deposit, you should review the commission rules on deposits (25-30.311, F.A.C.). You must submit a request in writing and revised tariff pages if you want to implement a deposit. This would be handled in a separate proceeding.

(g) Page 16.0-19.0: As stated in (d) above, the bill may not be considered delinquent until the twenty-first day after the bill has been mailed. The tariff flat rate is the correct rate. The wastewater rate I included in the sample customer notice was incorrect. The correct flat rate for wastewater is $28.28. Any question on the correct rates nd charges can be resolved by reviewing Order No. 24084.

(h) Page 18.3: You should reread the definitions included on this page to understand when these charges may be levied. You may not charge the current customers when you install their meters. The miscellaneous service charges were approved by the Commission at the January 9, 1991 agenda conference. If you wish to change these charges you must make a written request with supporting documentation justifying the increase in the charge. Your rates were also set at the same agenda conference. The Commission approved a flat rate for six months. This rate was set to allow you the opportunity to recover your expenses and a reasonable return on your investment. After six months, the base facility charge rate structure will become effective. Adding a "base customer charge" as you suggest would be inappropriate as the approved rates should cover all your expenses and return.

(i) The plant capacity charges have been approved. As before, if you want to request a higher charge, you must make a written request and provide supporting evidence. A request for a change in service availability charges will require a filing fee. The $6.00 per gallon charge is the amount to use in calculating a plant capacity charge for a non-residential connection.

As I stated earlier, the customer notice, escrow agreement and tariff pages must be approved before the new rates may go into effect. As it takes a couple of days for everything to be reviewed and processed, you should submit everything, as soon as possible.

Sincerely,

Denise N Vandiver

Denise N. Vandiver
Economic Analyst

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. Box 1030
Crystal Springs, Florida 33524-1030

RECEIVED
MAR 11 1991
Fla. Public Service Commission
Division of Water and Sewer

March 6, 1991

Mr. Greg Shafer
Chief, Bureau of Special Assistance
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Dear Greg,

I am enclosing for your records a copy of a petition filed with the Pasco County Board of Commissioners by the Shady Oaks Owners Association, signed by 220 residents. As you can see, we are serious about not wanting this pond in our front yard.

We appreciate all that the PSC staff has done to accommodate our requests. Denise Vandiver has been especially cooperative and easy to work with. We especially appreciate the trip you and Hank Landis made to Shady Oaks on February 20 to explain what we have here and how to deal with it, from your point of view. We are confident that you will help us in any way you can to get this situation resolved for the better.

Sincerely yours,

Dorothy Bird

Dorothy Bird
Vice-president
Shady Oaks Owners Association, Inc.

WE, THE UNDERSIGNED, BEING RESIDENT LOT OWNERS OF SHADY OAKS MOBILE-MODULAR ESTATES IN ZEPHYRHILLS, FLORIDA, AND BEING MEMBERS OF THE SHADY OAKS OWNERS ASSOCIATION, INC., DO HEREBY PETITION THE BOARD OF COMMISSIONERS OF PASCO COUNTY, FLORIDA FOR ANY ASSISTANCE THAT CAN BE GIVEN US TO ALLEVIATE THE ONGOING PROBLEMS WITH THE SHADY OAKS WASTEWATER TREATMENT AND DISPOSAL SYSTEMS, TO WIT:

THE UTILITY HAS BEEN IN NON-COMPLIANCE WITH DER REGULATIONS AND DIRECTIVES FOR AT LEAST SIX (6) YEARS. SOME OF THE PROBLEMS, WHICH THE UTILITY OWNER HAS CHOSEN NOT TO CORRECT, ARE:

- ILLEGAL EFFLUENT DISCHARGE FROM THE SEWER TREATMENT POND
- HIGH AND UNCONTROLLED VEGETATION IN AND AROUND THE PERIMETER OF THE POND
- NEGLECT OF MAINTENANCE OF THE TREATMENT AREA
- FAILURE TO EXPAND THE SYSTEM TO MEET DER REQUIREMENTS

WE BELIEVE THAT THE PROPOSED REMEDY, WHICH INVOLVES CONSTRUCTION OF A LARGER PERCOLATION POND IN A NEW LOCATION, IS UNACCEPTABLE. IT WILL SERIOUSLY COMPROMISE THE "QUIET ENJOYMENT" OF THE PROPERTIES IN SHADY OAKS BY PROVIDING BREEDING PLACES FOR MOSQUITOES, AN EYESORE ALONG THE FRONTAGE OF THE PARK (OUR FRONT DOOR), AND THE PROBABILITY OF OFFENSIVE ODORS BEING BORNE BY THE PREVAILING WINDS TO ALL THE HOMES IN THE SUBDIVISION.

WE FEEL THAT DIRECT CONNECTION OF OUR SEWERS TO COUNTY MAINS IS THE BEST SOLUTION TO THESE PROBLEMS.

TO THIS END, WE WISH TO GO ON RECORD THAT WE WOULD LIKE THE BOARD OF COMMISSIONERS TO INTERVENE ON OUR BEHALF TO THE FULLEST EXTENT OF ITS POWERS AS THE LAW ALLOWS.

DATED THIS 6th DAY OF MARCH, 1991.

Petition signed by 220 residents
of Shady Oaks Estates

D. D. Ricketts
3753 Muller Drive
Zephyrhills, FL 33540

Public Service Comm.
Mr. Gregory Shafer
Chief of special Assistance
Fletcher Bldg, 101 E. Gaines St.
Tallahassee Fla 32399

RECEIVED
MAR 11 1991
Fla. Public Service Commission
Division of Water and Sewer

Dear Mr Shafer:

Copy of your letter of Feb 26 and second paragraph regarding un-Metered lots noted. Good sensible decision.

If I should sell this lot within the next year or two - what charges would be applicable and to whom should they be paid?

1. To install water meter and useable service?
2. To connect to sewer?
3. Amount of impact charge if any?

Your help will be very much appreciated.

Very truly Yours
D.D. Ricketts

Done
3-19-91

D. D. Ricketts
3753 Muller Drive
Zephyrhills, FL 33540

TAMPA, FL 336
PM
8 MAR
1991

Fla Public Service Commission
Fletcher Bldg - 101 Gaines St.
Tallahassee, Fla 32399 [redacted] 0850

attn: Mr. Gregory L. Shafer

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

March 19, 1991

Mr. D. D. Ricketts
3753 Muller Drive
Zephyrhills, FL 33540

Dear Mr. Ricketts,

In response to your letter received here March 11, 1991, the following charges are likely to apply to the installation of water and sewer service where service has not previously existed:

Service Availability Charge	-	Water	$ 210.00
		Sewer	$ 1200.00
Initial Connection Charge	-	Water	$ 15.00
		Sewer	$ 15.00

However, unless multiple visits are required, a single fee of $15 will be charged if you connect both water and sewer at the same time (rather than $30 total if they are hooked up separately).

At this time, Shady Oaks does not have any service availability or connection charges in its tariff. The charges listed above are a result of a recent Commission decision. These charges are being held in abeyance because of a protest to Shady Oaks' rate case and we will not know with certainty what charges will result until the rate case and protest are resolved. The protest will be examined by the Commission on April 2, 1991. If the Commission dismisses the protest, then the charges listed above will become effective in mid to late April. If the protest is not dismissed, then the rate case will go to hearing and these charges may not become effective until sometime in the fall of this year, or they may even be altered as a result of the hearing.

As you can probably tell, we will know quite a bit more about the situation after April 2. I do hope this information is helpful and please let me or someone in our office know if we may be of further assistance.

Sincerely,

Gregory L. Shafer
Bureau Chief, Special Assistance

GLS\shr

cc: C. Hill

TO: PUBLIC SERVIC COMMISSION

FROM: SHADY OAKS OWNERS ASSOCIATION, INC.

DATE: MARCH 22, 1991

RECEIVED
APR 8 1991
Public Service Commission
Division of Water and Sewer

THIS IS A COPY OF A "BILL" RECEIVED BY MOST RESIDENTS OF SHADY OAKS ON OR ABOUT MARCH 13, 1991.

Date: 3-11-91
Service from 3-11-91 to 4-10-91
Residential flat rate - Water & Wastewater

$42.98

Due within 20 days from the above date.

S & D Utility
P. O. Box 280012
Tampa, Florida 31682-0012

1. THERE IS NO CUSTOMER IDENTIFICATION PRINTED ON THE BILL: (NAME, ADDRESS, ACCOUNT NUMBER OR SERVICE LOCATION)
2. THE TARIFF AND THE NOTICE TO CUSTOMERS WERE ISSUED AND SENT OUT UNDER THE NAME "SHADY OAKS MOBILE-MODULAR ESTATES, INC."
   a. THIS BILL IS ISSUED BY AN ENTITY CALLED S&D UTILITY, ABOUT WHICH THE CUSTOMERS HAVE RECEIVED NO NOTIFICATION
   b. THERE IS NO LOCAL BUSINESS ADDRESS PRINTED ON THE BILL, NOR IS THERE A TELEPHONE NUMBER. PAYMENT IS REQUESTED TO BE MADE TO A POST OFFICE BOX.

* WE BELIEVE THAT BOTH CUSTOMER IDENTIFICATION AND AN ADDRESS WHERE THE BILL CAN BE PAID AND A RECEIPT OBTAINED SHOULD BE SHOWN ON THE BILL.

THIS "BILL" COULD BELONG TO ANYONE.

91-03-00

WRS Bird (SB) 788-1110

RECEIVED
MAR 20 1991
Fla. Public Service Commission
Division of Water and Sewer

3652 Mullet Drive
Zephyrhills, Florida
33540
March 14, 1991

Mr. Greg Shafer, Chief of Special Assistance
Florida Public Service Commission
Fletcher Building
101 East Gaines St.
Tallahassee, Florida
32399-0850

Dear Mr. Shafer:

My husband and I, Mr. Clarence Kellenhofer and Marie, of Shady Oaks Estates, are very unhappy with our newly formed utility.

On Thursday afternoon, March 7, Clarence went into the back yard of our residence and noticed a large amount of water just beyond our lot line. Upon inspection, he found water bubbling out of a PVC 2" pipe and spreading around the area. Suspecting this must be the location of the water main, we called Mr. Richard Sims at his home in Tampa. This was about 4 P.M. on Thursday. Mr. Sims seemed polite and said, "I'll take care of it tonight or tomorrow morning.

We reminded him that a lot of water was going to waste and we had a mere trickle of water from our faucets.

He didn't show up that evening or on Friday morning by 9 A.M., so Clarence got on his bicycle and rode up to the office. Mr. Sims was there and when asked why he didn't show up, he said we should call a plumber and it wasn't his problem.

A plumber was working in the neighborhood, so we asked him to walk over and take a look at our problem. He did so, and said he could fix it but who will pay for it? He won't work for Mr. Sims because he doesn't pay his bills. We said we'd pay. He said he had another job to go to, but would come as soon as Mr. Sims would shut off the water. We'd only have to call the plumber's office and he'd get the word and come right over.

Clarence went back to Mr. Sims to ask him to shut the water off. Mr. Sims reply was, "You see this stack of papers? They're all from the commission and I have to abide by their rules. I can't shut the water off until they tell me I can. Before I can, You will have to notify everyone in the park of the time it will be shut off. (I really don't think this is our duty).

Well, the water didn't get shut off.

He said we could call the commission if we wanted to. He wasn't going to call them.

On the third trip to the office to urge him to shut the water off so we could get it fixed, he handed Clarence a ~~message~~ memo, of which I'm sending you a copy.

I called Mr. Peare, the former owner of our home, and he denied that Mr. Sims said he had only made a 'temporary' repair, and said Mr. Sims was a liar and always has been.

By this time, Clarence gave up trying to reason with Mr. Sims and was very emotionally upset, as he has medical problems. Then Mr. Bob Lindahl, our association president, whom you met when you were here at our clubhouse, offered to talk to Mr. Sims.

By that time, the plumbers were finished for the day, and, it being Friday, finished for the week. The plumber had told us they get time and a half on evenings and Saturdays ($60 per hour).

Well, Mr. Sims came to the park on Saturday A.M, called Mr Lindahl and asked what time we wanted the water off. Mr. Lindahl called us and we said we weren't paying $60 an hour for a plumber on Saturday when we could

have had one for $40 on Friday. By now we didn't even have a trickle of water in our house, but the lake in the back was getting bigger. He said we'd schedule a plumber for 9 A.M. on Monday. Mr. Sims returned to his home in Tampa, without even coming to 'have a look at the leak'.

By Monday A.M. the water had spread into two more neighbor's yards.

When Mr. Sims arrived Monday morning, he again called Mr. Lindahl (not us) and asked what time to shut off the water. When told again - 9 AM - he said, "I'll shut it off right now". (8:45 AM).

The plumber arrived about the same time, put a pump in the washed-out hole, and began pumping out water as they dug. After about an hour of pumping, they were able to get to the problem. As they dug, pieces of rags and plastic came up on their shovels. These must be evidence of the 'temporary' repairs that Mr. Sims made when Mr. Peare owned the home.

The two leaks were still gushing water when they uncovered them, even though the system was shut off. The leaks were at each end of a nipple between our

shut-off and his main. Tree roots had found this leak and had to be cut away with a jackknife to expose the problem. His temporary repair must have been to tie a rag from our shut-off valve to his line to hold the leak shut.

This repair cost $99.43 for 2¼ hours labor and $8.40 worth of parts. We were without water for over three days. We have better pressure now than we've had since we lived here. (2 years)

We don't think Mr. Sime is the right person to be running a utility. We cannot count on him for any service or cooperation in the event of any problems.

We hope our complaint will go on record with the other complaints you have listed against Mr. Sime.

Sincerely yours,

Clarence and Marie Kellnhofer

P.S. We posted signs at the clubhouse and on a new NOTICE board for all to see as they came in or left the park over the weekend, that the water would be off on Monday

A.M.

Mr & Mrs Clarence
Kellenbeyer
3652 Muller Drive
Zephyrhills, FL 33540

Greg Shafer, Chief of Special Assistance
Florida Public Service Commission
Fletcher Building
101 East Gaines St.
Tallahassee, Florida
32399-0850

MEMORANDUM

TO
Mrs. C. Kellnhofer
3652 Muller Dr.
Zephyrhills, Fla.

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

DATE
4-4-91

SUBJECT

MESSAGE

We are enclosing our check in the amount of $99.43, as per your letter of March 28th, which we received on April 2nd, 1991. We are depositing your check under protest.

Very truly yours,

R. D. Sims

R. D. Sims

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

Adams
9042

JOB WORK ORDER

BRUCE CARRIGAN PLUMBING
5719 13th Street
ZEPHYRHILLS, FLORIDA 33540
(813) 782-8482

DATE OF ORDER: 3-8-91

CUSTOMER'S ORDER NO.	PHONE	MECHANIC	HELPER	STARTING DATE
		Bruce	Frank	3/8/91

BILL TO: Mrs Kellenhofer
ORDER TAKEN BY:
ADDRESS: 3652 Muller Dr
☒ DAY WORK ☐ CONTRACT ☐ EXTRA
CITY: Shady Oaks
JOB NAME AND LOCATION: Water leak 9Am Monday 3/11/91
JOB PHONE:

DESCRIPTION OF WORK:

3/4" male adpt x dressler Coler (2ea)	9.00
3/4" male adpt PVC	.90
3/4" PVC 1 ft	.50
pipe dope, cleaner, glue, teflon tape	.50
Check # 373 paid Frank	
2 1/4 hrs labor	

A SERVICE CHARGE OF 5.00 PER MONTH WILL BE ADDED TO ANY BALANCE REMAINING AFTER 30 DAYS FROM DATE OF SERVICE.
A FEE OF 15.00 WILL BE CHARGED FOR RETURNED CHECKS.

TOTAL MATERIALS	8	90
TOTAL LABOR	90	00
TAX		53
TOTAL AMOUNT	$99	43

DATE COMPLETED: 3/11/91
WORK ORDERED BY:

Signature: Marie Kellenhofer ☐ No one home ☐ Total amount due for above work: or ☐ Total billing to be mailed after completion of work

I hereby acknowledge the satisfactory completion of the above described work.

CLARENCE J. KELLNHOFER
MARIE R. KELLNHOFER
3652 MULLER DR.
ZERPHYRHILLS, FL 33540

379

Mar. 30 19 91

63-27
631 19

PAY TO THE ORDER OF Richard Sims $ 25 00

Twenty five and 00/100 DOLLARS

NCNB National Bank of Florida
Zephyrhills, Florida

REDACTED

PAID IN FULL FOR MONTHLY MAINTENANCE FOR SHADY OAKS INC. WATER & SEWER for APRIL

MEMO

Marie Kellnhofer

+ [redacted]

S & D UTILITY 03-91
PHONE 813 932-3177
P O BOX 280012
TAMPA, FL 33682-0012

110

63-1368/6

4-3- 19 91

PAY TO THE ORDER OF Mr. + Mrs. C. Kellnhofer $ 99.43

Ninety nine + 43/100 DOLLA

Northside Bank of Tampa
"Your Neighborhood Bank"
12233 N. Florida Avenue
Tampa, Florida 33612

FOR

Caroline Sue Sims

State of Florida

Commissioners:
MICHAEL McK. WILSON, CHAIRMAN
THOMAS M. BEARD
BETTY EASLEY
GERALD L. (JERRY) GUNTER
FRANK S. MESSERSMITH

DIVISION OF WATER & SEWER
CHARLES H. HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

April 4, 1991

Mr. & Mrs. Clarence Kellnhofer
3652 Muller Drive
Zephyrhills, Florida 33540

Dear Mr. & Mrs. Kellnhofer,

This letter is in response to your correspondence of March 14, 1991 regarding the leaking water main and subsequent repair. I am very sorry for the inconvenience you experienced over this matter. Clearly, the responsibility for the repair rests with the utility in this case. Mr. Hank Landis of our staff has contacted Mr. Sims regarding reimbursement in full for the repair bill and in addition has indicated to Mr. Sims that his conduct in this matter was inappropriate. Mr. Sims has stated that he will reimburse you for the full amount of the repair as soon as utility funds are available to do so. If you have not received reimbursement from Mr. Sims by April 30, 1991 please contact Hank Landis or me at (904) 488-8482.

Sincerely,

Gregory L. Shafer
Bureau Chief, Special Assistance

cc: Charles H. Hill
Richard Sims

MESSAGE/REPLY

TO: Mrs. Ddnise Vandiver
P.S.C.
101 E. Gaines St.
Tallahassee, Fla.

3-27-91

FROM:
S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

MESSAGE

Dear Denise:

We need four certified copies from the P.S.C. concerning the escrow agreement, so that we can submit this to our lenders. This is most important as we are under certain jurisdictional requirements with the D.E.R. as per your file.

Very truly yours,

R. D. Sims

cc: J. A. Jurgens
Jones, Foster Johnston & Stubbs
Drawer E
West Palm Beach, Fla. 33402-3475

Charles Hill
Hank Landis
Thomas Palmer

RECEIVED
APR 1 1991
Fla. Public Service Commission
Division of Water and Sewer

REPLY

order is 4 pg

SEND PARTS 1 AND 3 INTACT
Adams 9023

FLETCHER BLDG
101 EAST GAINES ST.
TALLAHASSEE, FL 32399-0850

C/O MR GREGG SCHAEFER

RECEIVED
MAR 29 1991
Fla. Public Service Commission
Division of Water and Sewer

Date: 3-11-91
Service from 3-11-91 to 4-10-91
Residential flat rate - Water & Wastewater
$42.98

Due within 20 days from the above date.

S & D Utility
P. O. Box 280012
Tampa, Florida 31682-0012

Dear Sirs:

Above is a billing I received on a 3"x5" file card.

I have already paid $25.00 (MARCH 1991) for the above services, and I have been doing this for the past 17 years, and my contract (PARK COVENANTS) was supposed to be used, until the year 2000.

Please give me some answers, I am 76 years old maybe getting senile, but make believe you were me because someday you may reach this stage.

Question #1 Would you pay this bill?
2 Who is S+D UTILITY?
3. What is there address. location?
4. what are the office hours?
5. Do I pay $42.98 plus $25.00 next mo.?
6. When does action start on the new services?

Ronald F Kohl
38412 BENIGER DR
ZEPHYRHILLS, FL 33540

P.S. Talked to Mike on the phone 3/25 & 3/26
RK.

Mr/Mrs Ronald F. Kohl
38412 Beniger Drive
Zephyrhills FL 33540

PUBLIC SERVICE COMM'N
FLETCHER BLDG.
101 E. GAINES STREET
TALLAHASSEE, FL 32399-0850

Water & Sewer

C/O GREGG SCHAEFER

State of Florida

Commissioners:
MICHAEL McK. WILSON, CHAIRMAN
THOMAS M. BEARD
BETTY EASLEY
GERALD L. (JERRY) GUNTER
FRANK S. MESSERSMITH

DIVISION OF WATER & SEWER
CHARLES H. HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

April 4, 1991

Mr. Ronald F. Kohl
38412 Beniger Dr.
Zephyrhills, Florida 33540

Dear Mr. Kohl,

Thank you for your correspondence of March 26, 1991 regarding utility service in your area. As you probably already know your utility requested and was granted a rate increase by the Public Service Commission to be effective March 11, 1991. Prior to that time the residents in your park paid $25.00 per month, supposedly to cover not only water and wastewater service but other park maintenance items. This rate was establish by contract between the developer and the homeowner through the year 2000. The courts have held that such contracts cannot supersede the authority of the Public Service Commission to set utility rates. In the case of Shady Oaks the Commission set water and wastewater rates at $42.98 per month.

In response to your questions, I believe it is in your best interests to pay the water and wastewater bill. However, I cannot advise you on the $25.00 charge since it is not a Public Service Commission authorized charge.

Regarding the name of the utility, the owners of the Shady Oaks utility have requested a name change to S & D Utility. Only the name of the utility will change and nothing else. The business address of the utility is P. O. Box 280012, Tampa, Florida, 36182-0012. I do not have any knowledge of the office hours of the utility nor do I know on what date planned improvements will begin.

Should you have additional questions please contact Hank Landis or me at (904) 488-8482.

Sincerely,

Gregory L. Shafer
Bureau Chief, Special Assistance

cc: Charles Hill

March 28, 1991

Dear Shady Oaks Homeowners:

At the special business meeting held this morning, FMO General Counsel Thomas Munkittrick was present, along with Lloyd Bossert, District 3 President (FMO) and Director of all resident-owned mobile home communities for the state of Florida. Tom Munkittrick reviewed the problems facing Shady Oaks right now, and Mr. Bossert added some very encouraging words.

Mr. Munkittrick stressed the need for all of the Association members working together to take immediate legal action in order to protect our financial interests. He urged us to seek top-notch legal counsel at once to get the wheels in motion, and has recommended an excellent bankruptcy attorney to us. The Board is acting on these recommendations.

In outlining the options each individual has, Mr. Munkittrick presented us with four scenarios: 1) Pay the $25 monthly maintenance fee AND the $42.98 water bill; 2) Pay only the $42.98 water bill from S&D Utility; 3) Pay nothing at all; 4) Pay the $25 monthly maintenance fee as obligated by the deed covenant.

His arguments on each issue were as follows:

1). If you pay both amounts, you are effectively acknowledging that your $25 is for all the other services you are receiving EXCEPT water and sewer - OR - the owner is double-dipping and collecting payment twice for water and sewer.
2). If you only pay the water bill and do not pay the maintenance fee, Mr. Sims has no obligation to provide any other services to you under the covenant.
3). Paying nothing at all is not a reasonable solution.
4). If you pay your $25 monthly maintenance fee, Mr. Sims has an obligation to provide you with water and sewer along with recreational facilities. The Public Service Commission, with an entirely different jurisdiction, has authorized S&D Utility to charge $42.98; the utility is not obligated to charge those rates, and the PSC does not have authority to collect them. <u>This additional billing does not affect your contract.</u> If Mr. Sims breaches his contract, causing you to expend $42.98 (greater than the contract amount) and causes you further expense by his actions (cutting off water, etc.), he can be held liable for these accumulated damages. IF YOU PAY YOUR $25 MAINTENANCE FEE EACH MONTH, YOU HAVE UPHELD YOUR CONTRACTUAL OBLIGATION.

Both attorneys we have consulted, including Mr. Munkittrick, recommend that we each pay $25 per month and disregard the utility bill. Counsel's instructions are to make your check payable to: RICHARD SIMS (for legal reasons regarding the bankruptcy action). On the front of the check, in the "memo" space, either have

stamped or write in the following: PAID IN FULL FOR MONTHLY MAINTENANCE FOR SHADY OAKS INCLUDING WATER & SEWER. The check should be mailed to: RICHARD SIMS, 38616 SHADY OAKS DRIVE, ZEPHYRHILLS, FL 33540. Each Block Captain will have a stamp; you can have your check stamped at our meetings or by contacting one of them.

Mr. Munkittrick offered the following: If Richard Sims cashes the check you have made out in the above manner, it is called legally "accord and satisfaction". That means he agrees with your statement and is satisfied with your payment. If he does not cash the check, he won't be able to use the money.

Your cancelled check is your record. If you are concerned about mutilation or defacing of your check, you are advised to make and keep a copy of it prior to mailing. An extra precautionary measure would be to send it certified mail, return receipt requested. If your check comes back to you mutilated or defaced, notify your bank immediately not to honor any of your checks they receive in this condition.

Mr. Munkittrick recommends paying one month at a time. Advance payments could conceivably be sidestepped or overlooked in a bankruptcy action, and you might not be able to recover the balance or obtain credit for the money you have paid. IF ANY OF YOU HAVE PAID A NUMBER OF MONTHS IN ADVANCE, PLEASE CONTACT BOB LINDAHL OR DOTTE BIRD: we will keep a list for the attorneys as you may now be an unsecured creditor in this bankruptcy action.

Questions were raised about retaliatory actions by Mr. Sims. If your water is cut off, we have been assured the Pasco County Health Department will take care of the situation immediately. In the meantime, your Board and neighbors will help you out any way they can. We are all in this together. Legally, you must receive a 10 day notification before any disconnection can be made. If action is taken against you without notice, get right on the phone to the PSC (1-800-342-3552). Mr. Sims has a permit to operate a utility, issued by the Florida Public Service Commission, and HE MUST COMPLY with their regulations. If you would like to see a copy of the regulations, contact Bob Bird or Bob Lindahl.

The procedures for utility service complaints are the same as outlined in our letter of 3/25/91.

"VACATION RATES" - change in procedure: Even though you may be paying only $25 to Richard Sims, write a letter to S&D Utility to the effect that you are going on vacation and as of (specify date) you no longer intend to use the services of the utility until further notification. When you come back, write a letter in advance of your arrival notifying the utility of your intent to have service resumed on specified date. This should cover you for whatever may transpire while you are away.

If you wish your name to be included on a list being sent to the attorney indicating those persons he is representing in this action, and you have not signed the list, please contact Dotte Bird right away. The agreement reads as follows: We agree to pay $25 monthly maintenance fee as set forth in deed restrictions of Shady Oaks Mobile-Modular Estates, and to disregard all other charges for utility service until otherwise instructed by legal counsel for Shady Oaks Owners Association.

A letter explaining the Defense Fund that is being set up accompanies this letter. The initial response has been very positive and heartwarming. OUR THANKS TO ALL OF YOU.

If there are other questions you wish answered, please contact any Board member. We will do our best and if we do not have an answer, we will get you one from Counsel.

THANKS FOR YOUR SUPPORT!

Board of Directors
Shady Oaks Owners Association, Inc.

RESOLVED, that Shady Oaks Mobile-Modular Estates, by virtue of a census taken to comply with the 1988 Fair Housing Amendment, is a mobile home community for older persons. No permanent resident or occupant shall be under 18 years of age. At least one person 55 years of age or older must be an occupant of each unit except as herein provided. Persons between the ages of 18 and 55 may occupy and reside in a unit so long as one of the occupants is 55 years of age or older. The Shady Oaks Owners Association, at its sole discretion, shall have the right to establish or recognize hardship exceptions to permit individuals who are more than 18 years of age but less than 55 years of age to occupy a unit to meet situations such as the death or disability of a spouse, family member, co-occupant, or case of extreme financial hardship in the sale of a mobile home. All sales and leases shall be subject to the prior certification by the Association to assure compliance with these provisions and to assure that no hardship exception shall be granted which will raise the total percentage of such (no person over 55) occupied units to above twenty (20) percent. The Association is further authorized to make provisions, where practicable, which are necessary to ensure the availability of facilities for older persons in the mobile home community. For purposes of this rule, a "visitor", when used in reference to a person less than 18 years of age, is a person whose stay at the request of a mobile home owner does not exceed fifteen (15) consecutive days or thirty (30) days per year unless such person has the permission of the Association. A person whose stay is outside the scope of these provisions or exceptions shall be considered a permanent occupant.

* In order to preserve our status as a community for older persons, the above resolution needs to be adopted by a 2/3 vote of Shady Oaks residents and recorded in the Public Records of Pasco County.

Please read it carefully. It will be presented at the business meeting of April 3, 1991. Your vote is important. If you are unable to attend the meeting, but are in favor of the resolution, please send written notice so stating to Joanne Beman, 3619 Muller Drive, Zephyrhills, FL 33540, as soon as possible.

SHADY OAKS OWNERS ASSOCIATION
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

March 28, 1991

Subject: Shady Oaks Owners Defense Fund

Dear Shady Oaks Homeowner:

You recently received a lengthy letter outlining issues which have a serious impact on you as a Shady Oaks property owner. Your Association leadership has been in contact with several private attorneys as well as the legal counsel from the Federation of Mobile Home Owners organization (FMO) concerning these issues. Even though the FMO legal counsel has and will continue to assist us to the maximum extent possible, it has become necessary for us to establish a defense fund in order to have additional competent legal counsel deal with these important matters.

A Defense Fund committee has been established and, after considerable review and discussion, has determined that our immediate needs require an up-front contribution of $100 or more per household, and $10 per month until these issues are satisfactorily resolved. If you previously contributed to the existing legal fund, an up-front contribution is not required at this time; however, it will still be necessary for you to contribute the $10 monthly amount.

Your initial contribution should be made no later than April 1, 1991 and monthly contributions will begin on May 1, 1991. If you have special needs related to this request, or have any questions, please contact the following members of the Defense Fund committee: Joanne Beman, 783-3946; Louise Miller, 788-2804; or John Williams, 788-4770.

Please make checks payable to Shady Oaks Owners Association (noting on the front "Defense Fund") and send to: Shady Oaks Owners Association, P.O. Box 1030, Crystal Springs, FL 33524, or remit in person to anyone on the committee, if available.

Sincerely,

John A. Williams, Jr.
Chairperson
Shady Oaks Owners Defense Fund

MEMORANDUM

TO
Mrs. Denise Vandiver
P.S.C.
Tallahassee, Fla.

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

DATE
3-30-91

SUBJECT

MESSAGE

We have sent out notices to all residents in the Park that 4-4-91 we will be turning the water off from 9:30 am to 11:30 am.
We will be removing approximately five unauthorized risers, that aare not subject to a water meter; and also repairing two 2 inch water valves.

Very truly yours,

R. D. Sims

R. D. Sims

cc: Hank Landis

RECEIVED
APR 2 1991
Fla. Public Service Commission
Division of Water and Sewer

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams
042

Shady Oaks Mobile-Modular Estates, Inc.

1702 Highway 39 South

ZEPHYRHILLS, FLORIDA 33599

Telephone (813) 782-2686

April 1, 1991

Mrs. Noreene Davis
Supervisor, Legal Department
P. S. C.
101 E. Gaines St.
Tallahassee, Fla.

Re: File # WS-90-0079, Docket # 900025-WS Order # 24084

Dear Mrs. Davis:

Pursuant to our conversation today we are enclosing photostatic copies of several checks that were made out to Richard Sims stating April maintainance fee including water and sewer.

It appears to me that they are flaunting the P.S.C., but of course, you are to decide this. As per your advise, we are endorsing these checks "under protest" made payable to S & D Utility. We are also enclosing correspondance from the Shady Oaks Home-owners Association, which appears to be self-explainatory that the F.M.O. is exercising their authority over and above the P.S.C. We would appreciate your comment.

The with-holding of funds undoubtedly but us in jeopardy concerning the requirements for improving our wastewater and water plant. As per my conversation with Denise Vandiver, we will not be required to put any money in escrow from the $25.00.

Very truly yours,

R. D. Sims

RDS:ss
cc: Denise Vandiver
Hank Landis
J. A. Jurgens
Mark Jasperson
C. H. Hill

HAVE A HAPPY DAY

RONALD F. OR ETHEL H. KOHL 12-80
38412 BENIGER DRIVE
ZEPHYRHILLS, FL 33540

3-29 19 91 2643

63-8357
2631

PAY TO THE ORDER OF Richard Sims $ 25 XX/100

Twenty five and XX/100 DOLLARS

Florida Federal
Savings Bank
38530 FIFTH AVENUE
ZEPHYRHILLS, FL 33540

MEMO -APRIL- MAINTENANCE - WATER & SEWER INCLUDED Ronald F Kohl

[redacted]

© Clarke American w
GUARDIAN® SAFETY

BEN I. WELD
MARY WELD
8691 LAKEVIEW DR.
BARKER, NY 14012

2819

10-2/220

3-31 19 91

PAY TO THE ORDER OF Richard Sims $ 25.00

Twenty five DOLLARS

BARKER OFFICE
MARINE MIDLAND BANK, N.A.
8683 MAIN STREET
BARKER, NEW YORK 14012

Apr payment for maintenance fee including water & sewer Mary S. Weld

FOR [redacted]

© HARLAND 1990

REDACTED

239

MRS. BARBARA E. ARNOLD
38441 WILLOUBY DR.
ZEPHYRHILLS, FL 33540

Mar. 29 19 91

63-27
631 19

PAY TO THE ORDER OF Richard D. Sims $ 25 00/100

Twenty-five and 00/100 DOLLARS

EXTRA CHECKING CUSTOMER

NCNB National Bank
of Florida
Zephyrhills, Florida

Payment for maintenance including water and sewer Barbara E Arnold

[redacted]

MEMORANDUM

TO
Mrs. Denise Vandiver
P.S.C.
Tallahassee, Fla.

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

DATE
4-4-91

SUBJECT

MESSAGE

Dear Mrs. Vandiver:

Please tell us how we should post office hours, because our hours will be fluxuating due to appointments that come up. We are required to give several depositions concerning the D.E.R. problem, one is on the 18th, which is a Thurs., and various business meeting we have that we will be notifyed of throughout the summer. Would it be feasible for us to post these hours on a weekly basis, one week in advance? We are going to keep a customer account of who comes in the office.

Very truly yours,

R. D. Sims

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

Adams
9042

MEMORANDUM

TO Mr. Steve Tribble, Director
Division of Records & Reporting
P.S.C.
Tallahassee, Fla.

FROM S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

DATE 4-4-91

SUBJECT

MESSAGE

Dear Mr. Tribble:

We have 181 customers who were billed $42.98, a flat rate for water and wastewater, on 3-11-91, and on 3-31-91 a second notice was sent out stating they had five days before their bill was delinquent. As of 4-4-91 (25 days from date bill was sent out), we have received 32 payments for $42.98 each, 84 payments of $25.00 each, and 65 people have paid nothing. I have included a list of those who have not paid. We would like to be able to charge a delinquent fee of $15.00 for each customer that is delinquent after 25 days, they have been notified twice, and seem to be ignoring the billing. It is most difficult for us to meet the mandates imposed upon us by the Commission, with little or no money coming in.

Enclosed are various pieces of correspondance from Shady Oaks Home-owners Assoc. for your review, copies of this have been sent to Hank Landis, Denise Vandiver, Noreene Davis and Charles Hill.

We will appreciate your consideration in this matter.

Very truly yours,

R. D. Sims

R. D. Sims

cc: D. Vandiver
H. Landis
C. Hill ✓

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

Adams
9042

RECEIVED
APR 8 1991
Fla. Public Service Commission
Division of Water and Sewer

As of 4-4-91 we have received no payment what so ever from the following people for water and sewer:

Armour, Margaret
Ashwell, Theodora
Baron, Thomas
Berkey, Elmer
Bird, Robert
Borte, Leo
Bremer, Virginia
Bright, Gladys
Bucci, Nicholas
Carlson, Merle
Chapman, Ida
Christenson, D.M.
Clark, Estell
Clements, Helen
Coates, Valjean
Coburn, Vercia
Cole, Dan
Cook, Leo
Crawford, Vivian
Dale, Everett
DeNio, Robert
Haken, Esther
Hatfield, Richard
Hodgins, Bunn
Jacob, Jr., Julius
Johnston, Mildred
Knapp, William
Knapp, William
Knapp, William
Knapp, William
Knapp, William
Kristoferson, Otto
Lancaster, Lowell
Lenhart, Vera
Lenhart, Vera
Lewis, Della
Lilly, Jack
Lindahl, Robert
Louder, Irene
Mathews, Robert
Mindykowski, Lorraine
Murray, Austin
Nelson, Louise
Padgett, Lille
Parsons, Roy
Peasley, Edward
Peavey, Reynold
Peneton, James
Philpot, James
Reedy, H.B.
Rines, Basil
Roof, Charles
Rose, Floyd
Rutherford, Robert
Ryan, William
Samuelson, Ernest
Sinclair, Lorenzo, Mrs.
Slosser, Ronald
Smalley, Otis
Sorensen, Theodore
Stockwell, Josephine
Stoddart, Helen
VanGiesen, Larry
Warner, Lyle
Webster, Irene
Wilson, Carolyn

MEMORANDUM

TO
Mr. Steve Tribble, Director
Division of Records & Reporting
P.S.C.
Tallahassee, Fla. 32399-0864

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

DATE 4-5-91

SUBJECT

MESSAGE

On 4-4-91 the water was turned off in the Park (Shady Oaks Mobile Modular Estates). On 3-31-91 a notice was mailed out to every home in the park notifying them of the intended shut-off and of the date and time. The water was shut off at about 9:30 am Two unauthorized risers were removed, one located behind Mr. Boyce's home, 38523 Beniger Dr., and one behind Mr. Kristoferson's home at 38512 Cone Dr. We replaced several 2" valves. The water was turned back on about 11:30 am.

Very truly yours,

R. D. Sims

R.D. Sims

RECEIVED
APR - 8 1991
FPSC-RECORDS / REPORTING

RECEIVED
APR 9 1991
Fla. Public Service Commission
Division of Water and Sewer

RECEIVED
APR 8 1991
CONSUMER AFFAIRS

NO REPLY NECESSARY

4-10-91

Your service fee is delinquent for April, 1991, in the amount of $25.00. Please remit upon receipt of this notice.

SHADY OAKS MOBILE MODULAR ESTATES
38616 Shady Oaks Dr.
Zephyrhills, Fla. 33540-6526

Date: 4-1 1

Service from 4-11-91 to 5-10-91
Residential flat rate - Water & Wastewater
$42.98
Due within 20 days from the above date.

S & D Utility
P. O. Box 280012
Tampa, Fla. 31682-0012

MEMORANDUM

TO: Mr. Greg Shafer, Bureau Chief
P.S.C.
101 E. Gaines St.
Tallahassee, Fla.

FROM: S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

DATE: 4-16-91

SUBJECT:

MESSAGE

Dear Mr. Shafer:

I received the enclosed letter in the mail today. Bear in mind that we did send out delinquent notices on April 11th, for service fees of $25.00 due, not mentioning water and wastewater, from Shady Oaks Mobile Modular Estates, and on that same date we sent out the April notice for water and wastewater of $42.98 under the name of S & D Utility. Enclosed is a copy of each.

In all essence, the public notice was given at a meeting held November 28, 1990, at the Recreational Facility here at Shady Oaks. It appears to be with-in the 90 day notification period. According to Mrs. Tillman's letter, we failed to give 90 days notice of reduction in utilitxes.

We would appreciate your comments on this, and your advising Mrs. Tillman accordingly with-in the ten day period.

Very truly yours,
R. D. Sims
R. D. Sims

RECEIVED
APR 19 1991
Fla. Public Service Commission
Division of Water and Sewer

cc: Mrs. Mayra Tillman

Encl. 3

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

STATE OF FLORIDA

DEPARTMENT OF BUSINESS REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

Lawton Chiles, Governor

Janet E. Ferris, Secretary

April 12, 1991

Richard D. Sims
Shady Oaks Mobile - Modular Estates, Inc.
38616 Shady Oaks Drive
Zephyrhills, Florida 33540

Dear Mr. Sims:

The Division of Florida Land Sales, Condominiuums and Mobile Homes is charged with the enforcement of Chapter 723, Florida Statutues, the Florida Mobile Home Act. In this regard, we have received a complaint which makes the following allegation(s) against the park owner:

Allegation 1: That the developer failed to give a 90 day notice for a reduction in utilities, in violation of Section 723.037(1)(a), Florida Statutes.

The homeowners pay $300 per year which includes water and sewer. Developer has now formed a utility company which is charging a separate fee for water and sewers. However, developer has not reduced the $300 fee paid annually by a comparable amount.

Please respond to the alleged violation within ten (10) days.

Yours very truly,

Mayre Lutha Tillman

Mayre Lutha Tillman, Specialist
Enforcement Section
Bureau of Mobile Homes, Tampa Office

MLT:slw

4524 Oakfair Boulevard • Suite 200 • Tampa, Florida 33610
(813) 272-3845

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FL 33524

RECEIVED
APR 12 1991
Fla. Public Service Commission
Division of Water and Sewer

TO: Mr. Richard Sims

FROM: Shady Oaks Owners Association, Inc.

RE: Shady Oaks Mobile-Modular Estates, Inc. Utility
Posted Office Hours

DATE: April 8, 1991

We have noticed that your posted office hours for April, 1991 are for Tuesday and Wednesday from 10 to 11 each day. These hours differ from your March hours of Monday and Thursday from 10 to 11 each day.

We feel that two (2) hours per week is not enough to give the customers a convenient time to come to the office. We do not think it is unreasonable to expect someone to be in the office at least ten (10) hours per week, for two consecutive hours at the same time each day, and that the posted hours should remain the same each week.

If there is some reason you or your secretary cannot be in the office at the posted hours, the Association would appreciate notice of same, either through the president, Robert Lindahl (788-2830) or the utility committee chairman, Robert Bird (788-1196).

cc: Greg Shafer, Chief, Bureau of Special Assistance,
Florida Public Service Commission

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. Box 1030
Crystal Springs, FL 33524

Mr. Gregory Shafer, Bureau of Special Assista
Florida Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, FL 32399

MEMORANDUM

TO
Mr. Greg Shafer
Bureau Chief
P.S.C.
101 E. Gaines St.
Tallahassee, Fla. 32399-0864

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

DATE
4-11-91

SUBJECT

MESSAGE

Dear Mr. Shafer:

Concerning our brief conversation of the financial problems at Shady Oaks, Mrs. Vandiver's letter of April 10, 1991 and the remittance. We think it would be justifiable to credit $5.00 a month until full amount is refunded. Our cash flow is extremely restricted due to the position the people in the Park have taken with the F.M.O., as per the copies sent to the P.S.C. In general, can any money currently held in the Escrow Account be applied to this current situation?

As you must understand, this will prohibit our installing the necessary water meters that we wanted to. The initial expense of installing these water meters was more than we anticipated, but possibly with-in two weeks we will install Block H, and give proper notification.

Enclosed is a copy of our current intangible tax for water and sewer, which is past due for the forth year.

Very truly yours,

R. D. Sims

R. D. Sims

Encl. 1

RECEIVED
APR 15 1991
Fla. Public Service Commission
Division of Water and Sewer

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

Adams
9042

PASCO COUNTY FLORIDA
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

1990 TANGIBLE PERSONAL PROPERTY — P&L 20430-10-0 ACCOUNT S-00420-010

ASSESSED TO SHADY OAKS

ASSESSED VALUE 18700 EXEMPTIONS — TAXABLE VALUE 18700

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	TAXES LEVIED
COUNTY COMMISSION OPERATING	9.1860	171.78
COUNTY SCHOOL OPERATING	6.7560	126.34
COUNTY SCHOOL CAPITAL OUTLAY	1.5030	28.11
COUNTY COMM ZHILLS FIRE DIST	.8140	15.22
SW FLA WATER MNGMNT DIST	.4000	7.48
HILLSBOROUGH RIVER BASIN	.1010	1.89
COUNTY WIDE SCHOOL BOND	.1420	2.66
COUNTY WIDE SCHOOL BOND 1987	.9970	18.64
COUNTY COMMISSION LIBRARY BOND	.1440	2.69
COUNTY COMMISSION PARKS BOND	.1770	3.31

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE/BASIS	AMOUNT

TOTAL TAXES AND LEVIES 415.93

PLEASE DETACH HERE AND RETURN BOTTOM PART WITH PAYMENT

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

1990 TANGIBLE PERSONAL PROPERTY — P&L 20430-10-0 ACCOUNT S-00420-010

TOTAL AMOUNT DUE IF PAID BY: *DELINQUENT APR 1

NOV 30	DEC 31	JAN 30	FEB 28	MAR 31	*APR 30	*MAY 31
400.81	404.59	408.37	412.15	415.93	421.60	428.02

PAYABLE TO: MIKE OLSON, TAX COLLECTOR (CHECKS ON U.S. BANKS) P.O. BOX 276, DADE CITY FL 33526-0276

ASSESSD VAL 18700
EXEMPTIONS
TAXABLE VAL 18700
PENALTY 37.81

WATER&SEWER SYSTEMS
SHADY OAKS MH PARK
657 SHOK 000W 38616

MLCD 30FZ

WARNING BACK TAXES OWED NOT INCLUDED IN TOTAL ABOVE

SHADY OAKS
38616 SHADY OAKS DR
ZEPHYRHILLS FL 33540

10902000037812300000378132043010000

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

DIVISION OF WATER & SEWER
CHARLES H. HILL,
DIRECTOR
(904) 488-8482

Public Service Commission

April 29, 1991

Richard D. Sims
Shady Oaks Mobile-Modular Village
P. O. Box 280012
Tampa, Florida 33682-0012

Dear Mr. Sims,

Our Staff has reviewed your correspondence of April 16 and April 11, and have some suggestions as how to proceed. Regarding repayment of the over billing for the month of March we believe that a $5.00 per month credit until the entire $30.80 is returned is acceptable. You may, of course, credit a larger amount per month should you choose to do so. Please begin the credit process in the earliest possible billing cycle.

Regarding the escrow account, Order No. 24084 explicitly states the amount of each customer's monthly payment which is to be deposited into the escrow account. In the event that an individual customer does not pay his/her bill or pays only a portion, the utility need only deposit in escrow the $1.80 pertaining to the suspended fine and any remaining amount above $31.29. This amount is the difference between the total bill and the amount that would be escrowed if the full amount were paid. If a customer does not pay an amount equal to or greater than $31.29, only the $1.80 pertaining to the fine should be escrowed. Hopefully, this will permit the utility to continue to meet operational expenses. Finally, the Commission designated escrow funds for a specific purpose. Should you wish to use those funds for any other purpose you must petition the Commission for that permission, it cannot be granted by the Staff.

Your letter of April 16, 1991 asks for comments on a letter from the Department of Business Regulation (DBR) dated April 12, 1991. The DBR letter appears to address the $25.00 per month maintenance fee charged by the mobile home park. As you know, the Public Service Commission believes and the courts have supported that it has exclusive authority over water and sewer utilities under its jurisdiction. The Staff believes that the utility met all the necessary notice requirements regarding the change in water and sewer rates. However, we have no jurisdiction or authority

over maintenance fees.

Should you have additional questions regarding these matters please contact me at (904) 488-8482.

Sincerely,

Gregory L. Shafer
Bureau Chief, Special Assistance

GS/gs

cc: Charles H. Hill
Denise Vandiver

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

RECEIVED
MAY 06 1991
Fla. Public Service Commission
Division of Water and Sewer

May 3, 1991

Mr. Richard Sims
Shady Oaks Mobile-Modular Estates, Inc.
38616 Shady Oaks Drive
Zephyrhills, Florida 33540

Dear Mr. Sims:

At our business meeting of May 2, 1991, a number of residents raised questions concerning the Notice to Customers they received from the utility, dated April 30, 1991, which dealt with a change in the billing cycle and credits to customers. Since there are so many residents with these concerns, we thought it might be easier for you and for us if you could talk to the entire group.

We are inviting you to attend our next regular meeting on Thursday morning, May 9 at 9 a.m. to give you the opportunity to answer questions and provide information about the utility and its billing procedures.

Please call me at 788-2830 as soon as possible so we can finalize arrangements.

Sincerely,

Robert W. Lindahl
President

RWL/d

cc: Charles H. Hill
Jack Shreve

SHADY OAKS OWNERS ASSOCIATION, I. .
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

RECEIVED
MAY 20 1991
Fla. Public Service Commission
Division of Water and Sewer

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility
Regular Office Hours

Dear Mr. Hill:

This letter addresses the hours the utility office is open to serve its customers. In a memo dated April 8, 1991 to Mr. Richard Sims (utility owner/operator) we requested more hours and on a regularly scheduled consistent basis. A copy of this memo was sent to Greg Shafer, Chief of Special Assistance. We received a response by telephone on April 26, 1991 from John Plesko, consumer affairs analyst; his reply was that since this was a small utility it had only been allotted two hours of time each week in the rate structure. If the customers wanted more hours, it would cost us more money.

Our concern at this time is that, with only two (2) hours per week to conduct business at the Shady Oaks utility office, we would like the hours to remain consistent from week to week and month to month.

The last two weeks of March, following the approval of the utility's tariff, were different from each other. The month of April, while remaining the same the entire month, had different days than March. Hours for the month of May were scheduled for different days than in April as posted on May 1. However, this week a new sign appeared with hours for the week of May 13-17, and the times were changed.

Our vice-president, Dorothy Bird, paid a visit to the office on May 6 and asked why the scheduled hours could not remain the same. Mr. Sims amswered that "he had to go to court sometimes." When questioned as to how unknown court dates could relate to scheduling of hours, Mrs. Bird was told that if she had any questions she could call the PSC.

The residents in Shady Oaks range in age from 50 to 95, with the majority over 70. For the sake of those customers with limited mobility, we would like the hours to remain consistent, on the same days of each week and at the same hour. We hope you will be able to help us; Mr. Sims does not appear to be willing to do so.

Sincerely,

Robert W. Lindahl
President

cc: Jack Shreve
Richard Sims

SHADY OAKS OWNERS ASSOCIATION, INC.

P.O. Box 1030

CRYSTAL SPRINGS, FLORIDA 33524

RECEIVED
MAY 20 1991
Fla. Public Service Commission
Division of Water and Sewer

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc.- Utility Charges and credits resulting from a change in billing cycle

Dear Mr. Hill:

Most Shady Oaks homeowners received a customer notice from S&D Utility (an unauthorized name for Shady Oaks Mobile-Modular Estates, Inc.'s utility business) on Wednesday, May 1, 1991, dealing with a change in the billing cycle and resulting credits to the customers (copy enclosed). At our Association meeting on Thursday morning, May 2, many residents had questions about this notice, which we were unable to answer. Following the meeting, our vice-president, Dorothy Bird, went to the utility office during the scheduled office hour to ask Mr. Sims for an explanation. His response was that the PSC told him to send this notice and if we had any questions about it, we should call the PSC.

In a letter dated May 3, 1991, the ASsociation invited Mr. Sims to attend our next meeting (May 9) to explain the charges, credits and billing cycle adjustment. We have had no response to our letter.

We still have questions as to how the billing cycle was changed and how the credit was derived. None of us has received an itemized bill. We received a slip of paper saying we owed a specified amount, or we are delinquent by a specified amount, or we have a specified amount of credit.

If we are required to make payments to the utility, we should be able to expect an itemized accounting as to how the charges are derived. We would appreciate a timely explanation.

Sincerely,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

S & D UTILITY
P. O. BOX 280012
TAMPA, FLA. 33682-0012

APRIL 30, 1991

NOTICE TO CUSTOMERS:

On March 11, 1991, our tariff became effective, and staff allowed us to change our billing cycle, this was in error. In order to shift the cycle to the 1st of each month, there will be a $30.80 credit due you for water and wastewater. If you have not as yet paid your April payment, you will be charged $12.18 instead of $42.98 for April. If you have already paid your March and April bill, you will be receiving a credit of $7.70 on your May, June, July and August bills.

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 14, 1991

RECEIVED
MAY 20 1991
Fla. Public Service Commission
Division of Water and Sewer

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility

Dear Mr. Hill:

On Monday, May 6, 1991, during the hour the utility scheduled to keep the office open, one of our residents, Mr. Carrol Meeusen, went to Mr. Sims' office to present his check. Mr. Sims was in the back room, which is marked "private", so Mr. Meeusen called to him that he had a check for him. Mr. Sims indicated that it should be placed on the desk. It was windy and the door was open. Mr. Meeusen expressed his concern that the check might blow away. Mr. Sims' reply was "Shut the f___ing door!"

We do not believe any customer should be treated this way by anybody doing business. We believe we are entitled to courtesy and respect from Mr. Sims when presenting payments. We also believe Mr. Sims should present himself in the office when a customer comes in, and should write a receipt for payment to be given to that customer.

This incident reflects a typical attitude taken by Mr. Sims and is one of the many reasons that the people of Shady Oaks do not wish to do business with him. If we were not a captive group, we would take our business elsewhere.

Respectfully,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

RECEIVED
MAY 20 1991
Fla. Public Service Commission
Division of Water and Sewer

May 10 - 91

I Mr Carrol Meeusen went in to pay Mr Sims his check for May water + Sewer, on May 8 at 10:00 AM.

I didn't see Mr Sims right away so I yell to anybody here and Mr Sims yell in there.

So I said here is check, Mr Sims said put it on the desk and I said the Wind will blow it off and Mr Sims yell back, Shit the F---K, I'll get over there.

I feel nobody should use anybody that way.

Mr Carrol Meeusen
3534 Castle Dr
Zephyrhills Fla
33540-4516
Phone 788-3207

.DY OAKS OWNERS ASSOCIATIO INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 14, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility

Dear Mr. Hill:

On Monday, May 6, 1991, during the hour the utility scheduled to keep the office open, one of our residents, Mr. Carrol Meeusen, went to Mr. Sims' office to present his check. Mr. Sims was in the back room, which is marked "private", so Mr. Meeusen called to him that he had a check for him. Mr. Sims indicated that it should be placed on the desk. It was windy and the door was open. Mr. Meeusen expressed his concern that the check might blow away. Mr. Sims' reply was "Shut the f---ing door!"

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This incident reflects a typical attitude taken by Mr. Sims and is one of the many reasons that the people of Shady Oaks do not wish to do business with him. If we were not a captive group, we would take our business elsewhere.

Respectfully,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

Denise - FYI -
These are the copies of the letters we sent to Mr. Hill.
Dottie Bird
We still have had no response, either to our above letters or our personal letters, from either Mr or Mrs Sims.

May 10 - 91

I Mr Carrol Meeusen went in to pay Mr Sims his Check for May water - Sewer, on May 8 at 10:00 AM.

I didnt see Mr Sims right away so I yell is anybody here and Mrs Sims yell in here.

So I said here is Check, Mrs Sims said put it on the desk and I said the Wind will blow it off and Mr Sims yell Back, Shut the F---King door then.

I feel nobody should use anybody that way.

Mr Carrol Meeusen
3534 Castle Dr
Zephyrhill Fla 33540-4570
Phone 788-3207

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. Box 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc.- Utility Charges and credits resulting from a change in billing cycle

Dear Mr. Hill:

Most Shady Oaks homeowners received a customer notice from S&D Utility (an unauthorized name for Shady Oaks Mobile-Modular Estates, Inc.'s utility business) on Wednesday, May 1, 1991, dealing with a change in the billing cycle and resulting credits to the customers (copy enclosed). At our Association meeting on Thursday morning, May 2, many residents had questions about this notice, which we were unable to answer. Following the meeting, our vice-president, Dorothy Bird, went to the utility office during the scheduled office hour to ask Mr. Sims for an explanation. His response was that the PSC told him to send this notice and if we had any questions about it, we should call the PSC.

In a letter dated May 3, 1991, the ASsociation invited Mr. Sims to attend our next meeting (May 9) to explain the charges, credits and billing cycle adjustment. We have had no response to our letter.

We still have questions as to how the billing cycle was changed and how the credit was derived. None of us has received an itemized bill. We received a slip of paper saying we owed a specified amount, or we are delinquent by a specified amount, or we have a specified amount of credit.

If we are required to make payments to the utility, we should be able to expect an itemized accounting as to how the charges are derived. We would appreciate a timely explanation.

Sincerely,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 524

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility
Regular Office Hours

Dear Mr. Hill:

This letter addresses the hours the utility office is open to serve its customers. In a memo dated April 8, 1991 to Mr. Richard Sims (utility owner/operator) we requested more hours and on a regularly scheduled consistent basis. A copy of this memo was sent to Greg Shafer, Chief of Special Assistance. We received a response by telephone on April 26, 1991 from John Plesko, consumer affairs analyst; his reply was that since this was a small utility it had only been allotted two hours of time each week in the rate structure. If the customers wanted more hours, it would cost us more money.

Our concern at this time is that, with only two (2) hours per week to conduct business at the Shady Oaks utility office, we would like the hours to remain consistent from week to week and month to month.

The last two weeks of March, following the approval of the utility's tariff, were different from each other. The month of April, while remaining the same the entire month, had different days than March. Hours for the month of May were scheduled for different days than in April as posted on May 1. However, this week a new sign appeared with hours for the week of May 13-17, and the times were changed.

Our vice-president, Dorothy Bird, paid a visit to the office on May 6 and asked why the scheduled hours could not remain the same. Mr. Sims amswered that "he had to go to court sometimes." When questioned as to how unknown court dates could relate to scheduling of hours, Mrs. Bird was told that if she had any questions she could call the PSC.

The residents in Shady Oaks range in age from 50 to 95, with the majority over 70. For the sake of those customers with limited mobility, we would like the hours to remain consistent, on the same days of each week and at the same hour. We hope you will be able to help us; Mr. Sims does not appear to be willing to do so.

Sincerely,

Robert W. Lindahl
President

cc: Jack Shreve
Richard Sims

1991 OFFICERS

SHADY OAKS OWNERS ASSOCIATION, INC.

President:	Robert W. Lindahl	788-2830
Vice-president:	Dorothy K. Bird	788-1196
Secretary:	* Vera L. Peterson	782-1585
Treasurer:	John A. Williams	788-4770

Board of Directors:

	Joanne Beman	783-3946
	Oscar Hulber	783-6486
	* Barbara McBride	788-2340
#1 - Summer →	* Herbert J. McClain	788-2644
#2 - Summer →	* Charles McClelland	782-7165
	* Louise Miller	788-2804
	Kenneth Patchen	782-7579

* denotes year-round resident

Mail address: Shady Oaks Owners Association, Inc.
P.O. Box 1030
Crystal Springs, Florida 33524

Summer address: R. Lindahl 313-735-9007
N9461 Gould Road, Lot #5
Linden, MI 48451

D. Bird (msg) 704-888-1316
c/o Hammerling
RD 2 Box 193 Polk Ford Rd.
Stanfield, NC 28163

Herb has answering machine
Bob " " "

MEMORANDUM

TO
Mrs. Marge Sinclair
38602 Shady Oaks Dr.
Zephyrhills, Fla.

FROM
S & D UTILITY
~~P.O. BOX 280012~~
TAMPA. FLA 33682-0012

DATE
5-30-91

SUBJECT

MESSAGE

This will advise you that on the morning of June 4th, 1991, at approximately 9:00 a.m., we will be shutting the water off at your residence to install water meters. Your water and wastewater bill is past due in the amount of $73.14.

Also please be advised that the Utility shall not be liable for any plantings that would be an obstruction in the installation or repair of the lines in order to maintain the health and welfare of the residents., Any obstructions will be the responsibility of the consumer. Due notice is given, and it is your obligation to remove these plantings at your own expense.

Very truly yours,

R. D. Sims

R. D. Sims

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams 9042

Memorandum

MEMORANDUM

TO
Mrs. Denise Vandiver
P.S.C.
101 E. Gaines St.
Tallahassee, Fla.

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

DATE
5-31-91

SUBJECT

MESSAGE

Dear Mrs. Vandiver:

Upon consulting with our attorney, and considering the various potential aspects regarding the future litigation that the P.S.C. may be involved in regarding Mrs. Mayre Tillman; our attorney suggested that you reply to enclosed consumers letters. As these rates were made by the P.S.C. and readjusted by the P.S.C.

As of today, 56 people have requested summer rates, and we have not been given any official notification that a flat rate has been given to us. It appears that 56 people not paying $42.98 per month for water and wastewater, completely adds to our cash flow problem. Now, when you go to a financial institution and present various figures for improvement of your water plant and wastewater plant, based upon a given rate awarded to you by the P.S.C., and then partially taken away from you. "If we loaned you the money, how could you pay it back? because they may take another rate away from you". Now you answer that question. We are not Tampa Electric or Florida Power, we are just Richard D. Sims, S & D Utility.

Very truly yours,

R. D. Sims

R. D. Sims

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams 9042

Memorandum

MAY 3 1991

SHADY OAKS MOBILE/MODULAR ESTATES
OR S & O UTILITY -

DEAR SIR

WOULD YOU PLEASE SEND ME AN ITEMIZED STATEMENT OF MY ACCOUNT. STARTING MARCH 11 THROUGH PRESENT DATE OF MAY 8 1991

YOUR BILLINGS AND MINE DO NOT HOOK UP THE SAME - BECAUSE I CANNOT DETERMINE ANY CREDIT FOR THE MONTHS OF MARCH AND APRIL I PAID FOR IN ADVANCE ($50.00) 4/1/90.

IF YOU HAVE NOT CREDITED MY ACCOUNT WITH THIS AMOUNT, PLEASE ADVISE ME WHERE IS WAS CREDITED AND WHAT FOR. IF YOU HAVE ANY QUESTIONS PLEASE FEEL FREE TO CONTACT ME AT 788 2830

YOURS TRULY

Robert W Ladd

38546 BENICK
ZEPHYRHILLS FL
33540

May 6, 1991

Caroline S. Sims, Bookkeeper
S&D Utility
P.O. Box 280012
Tampa, Florida 33682-0012

Dear Mrs. Sims:

We have received a notice of delinquency from S&D Utility for March and April bills. We believe our bills are paid in full according to our contract with Shady Oaks Mobile-Modular Estates, Inc.

Please send us an itemized statement showing how you arrived at this delinquent amount.

Sincerely yours,

Dorothy Bird
for
Mr. and Mrs. Robert Bird
38553 Monet Drive
Zephyrhills, Florida 33540

S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

Mr. Robert Lindahl
38546 Beniger Dr.
Zephyrhills, Fla.

5-30-91

Dear Mr. Lindahl:

Pursuant to your letter of May 8th, we are referring your letter to the P.S.C. after advise of our attorney.

Very truly yours,

R. D. Sims

Mrs. Bird
38553 Monet Dr.
Zephyrhills, Fla. 33540

S & D UTILITY
P.O. BOX 280012
TAMPA. FLA 33682-0012

5-30-91

Dear Mrs. Bird:

Pursuant to your letter of May 6th; on the advise of our attorney we are referring this letter to the P.S.C.

Very truly yours,

R. D. Sims

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
J. TERRY DEASON
BETTY EASLEY
GERALD L. (JERRY) GUNTER
MICHAEL WILSON

FLETCHER BUILDING
101 EAST GAINES STREET
TALLAHASSEE, FL 32399-0850

Public Service Commission

June 5, 1991

Richard D. Sims
Shady Oaks Mobile-Modular Estates, Inc.
1315 Eckles Drive
Tampa, Florida 33612

Mr. Sims:

I have received your letter suggesting that I reply to the customer letters regarding the delinquent balances on account. This should be handled by you or your wife. You are the owners and operators of the utility. You own and maintain the billing and collection records. It is your job to run the utility, not the Commission's. The Commission does not attempt to run a utility's business. We have received numerous inquiries and complaints from customers concerning your business practices. Unless, you appear to be violating a Commission rule or order, we do not attempt to interfere with your judgement in operating your business. We leave the management of the utility up to you. Therefore, it is up to you to respond to these inquiries regarding delinquent balances.

Based on conversations and letters from you and the customers, it appears that you have not clearly stated that you are holding the customers responsible for the $25 monthly maintenance fee as well as the separate utility bill, currently the flat rate of $42.98. While you may assume this is understood by all, it appears that at some point, you will have to state this in writing and admit that this is the basis of your billing and delinquent notices.

Staff agrees with you that the number of customers requesting vacation rates is significant. That is why staff recommended to the Commission and the Commission approved that the base facility charge rate may be charged for the time a customer has requested his service be temporarily discontinued. Based on the language in the original order, your base facility charge rates will not become effective until October 1, 1991 or when you have 100% of the meters installed, whichever comes first. Therefore, if the order authorizing "vacation rates" is not protested, you will be able to charge a "vacation rate" beginning in October.

I have also received your plan for the installation of the first sixteen meters. Please continue to send the Commission a copy of your meter installation plans. Ms. Sims and I may have discussed whether it was appropriate to collect a premises visit charge from customers if they pay the delinquent amount when you are out installing the meter. Because the Commission ordered you to install the meters and the cost of the installation is included in rate base, it is not appropriate for you to collect the $10 premises visit charge.

Thank you again for the plan of the meter installations.

Sincerely,

Denise N Vandiver

Denise N. Vandiver
Economic Analyst

cc: Charles H. Hill
Greg Shafer

TO: Denise Vandiver, Economic Analyst
Florida Public Service Commission

FROM: Shady Oaks Owners Association

RE: Docket No. 900025-WS, staff-assisted rate case
Shady Oaks Mobile-Modular Estates, Inc.(S & D Utility)

STATEMENT OF CONCERN REGARDING QUALITY OF SERVICE
February through September 10, 1991

DATE: September 11, 1991

We wish to address the following areas of concern with regard to the performance of the above-named utility in the six month period following the Commission's action in granting a rate increase:

1. Communications
2. Customer Billing
3. Maintenance and Operation of Plant
4. Installation of Meters
5. Construction
6. Income of Utility

We are enclosing copies of letters and documents to support our concerns.

COMMUNICATIONS

Because this utility provides the only water/sewer service available to us, we believe it is important to be able to communicate with the owner - to have questions answered and to obtain reasonable explanations of things we don't understand. On several occasions during the past six months, letters have been sent to Mr. Sims and/or Shady Oaks Mobile-Modular Estates requesting information. On one occasion Mr. Sims was invited by the Association to speak at a meeting to explain his system of billing. He did not respond to the letter, nor did he attend the meeting. Often we do not receive replies to our letters; the replies we do get usually direct us to "ask the PSC." Whatever question is asked, Mr. Sims' stock answer is "Ask the PSC." If we thought the PSC was running the utility we would direct our questions to it in the first place and save the hassle, but it is our understanding that Mr. Sims is operating this utility and we believe he should answer customer inquiries.

A similar situation exists when attempting to speak to Mr. Sims personally. He is either uncommunicative, abusive, insulting, humiliating, frustrating or evasive - and on occasion he has been profane. Mr. Sims frequently fails to return telephone call

messages left on his answering machine by residents or officers of the Association. On the occasions that he has taken calls, the usual response is "Ask the PSC."

It would be a great help to the residents of Shady Oaks if Mr. Sims' office hours were regular and consistent. It is a great inconvenience to have them change weekly, and when one of us calls the office to ask what this week's hours are, the reply is either "They're posted on the door" or "I'm here now." Neither of those answers is satisfactory or proper.

Mr. Sims does not come out to the front room of his office to accept payments from the customers and we are forbidden from entering the back room. There is a box on the desk in the front office; the box has a slot in it, presumably for deposit of payments, with a prominent notice attached that says "NOT RESPONSIBLE." At times Mr. Sims has refused to accept hand-delivered payments from customers.

CUSTOMER BILLINGS

Bills received from the utility are often confusing. Since they are prepared on a form that is then pasted to a postcard, it would be helpful if the utility could use a more detailed form, such as the example shown below.

Previous Balance	_____
Payment Received	_____
New Charges	_____
Total Due	_____

This type of billing would eliminate much of the misunderstanding and chance for error, since the customer could see where the total due was derived and ask intelligent questions if there appears to be a discrepancy.

A letter was sent to the utility on May 6 requesting clarification of how the initial pro-rated credit was arrived at; on May 30 a reply memo was received directing the customer to "ask the PSC." Although we are still not exactly sure how the credit was figured, we think we know what figures were used.

MAINTENANCE AND OPERATION OF PLANT

Maintenance of the grounds has been somewhat sketchy. We do not know how much has been allowed to cover the costs of this, or how much the invoices claim, but very little has been done. The office lawn was mowed two or three times.

During the months of June, July and August the chlorination of

State of Florida

Public Service Commission

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

DATE: September 20, 1991
TO: Division of Records and Reporting
FROM: Division of Research and Regulatory Review (Vandiver) DV
RE: Docket No. 900025-WS; Shady Oaks Mobile-Modular Estates, Inc.

Attached are various documents received from the customers~~, and the utility~~. Please include these in the docket file.

RECEIVED
SEP 23 1991
FPSC-RECORDS/REPORTING

the drinking water was noticeably heavy. Some of us were concerned that the substantial leaking of the pool water might be getting into the water table. There was no test made to determine whether this could be a factor in the taste of the water.

On July 12, 1991 the certified operator of the Shady Oaks water and sewer facility, Mathis Water Treatment Company of Winter Haven, discontinued service to Shady Oaks because of a two-month overdue bill for services amounting to $922.50 through June. Shady Oaks was without a certified operator from July 12 until the first of September.

Several times water was shut off with no notice to customers, sometimes for a period of several hours. The first part of May we asked PSC staff for a definition of "emergency" and were told it was an unplanned shutoff. It is also our understanding that a utility must notify all of its customers of a pending water shut-off unless it has made other arrangements with them; Shady Oaks has not. Our records show that water was off on April 16 without notice, and twice in August for non-emergency repairs that were called emergencies by Mr. Sims when he called in to the PSC in anticipation of complaints.

We are also concerned about having the entire park shut down when one area needs work. This is not necessary, as there are separate shut-off valves to various service loops in the system. Mr. Sims does not seem inclined to separate the service areas when working on the lines, and up till now the whole park has been shut down almost every time.

On several occasions, when leaks of major import have been reported to Mr. Sims, he has chosen to ignore the reports and not check out the situation. On or about January 1, Reed Clark reported a major leak on a vacant lot on Monet Drive that exists still; the pipe is wrapped with tape to keep it from gushing. On March 7 and 9, as documented in letters to the PSC, there were leaks on property belonging to Kellnhofers and Lancasters that Mr. Sims refused to inspect. In July it took over two weeks to have a major leak on Muller Drive taken care of, even though a steady stream was running in the street.

When a leak was reported at the clubhouse, the method of repair was to shut the water off to the drinking fountain. On July 26 a steady leak was spotted at the utility office; it is still there. After a meter was installed at Helen Clements' home, a leak occurred in her line; it is still not repaired.On August 12, a leak at Mrs. Ruth Tutt's was ignored for four days after she reported it. Mr. Sims inspected it only after several calls from Mrs. Tutt's

daughter and son-in-law three days later.

The residents don't report leaks to harass Mr. Sims. We report them because they waste water and they often affect the water pressure in our homes. It seems to us that if Mr. Sims feels one of the ASsociation officers is connected with a report of a leak (and we usually are in some way because the residents will call oneof us first when a problem arises) he will choose to ignore it.

INSTALLATION OF METERS

It was our understanding, from a letter written to Mr. Sims by the PSC, that the meter installation was to follow a predetermined plan approved by the PSC. Digging began June 4 on Block A and two meters were installed. On June 24, Mr. Sims filed an amended plan to install 35 additional meters on Block A. However, other digging has proceeded in a haphazard fashion on Blocks H, G and D. On July 3 there was more digging on Castle and Monet (Block A). A lull in the activity occurred until July 18, when there was random digging on Block H, and July 19, digging on Block G. Both of these days digging was conducted close to the residences and the properties were left in an unsightly condition. On July 24 digging was resumed on Block H and meters were installed on Monet andCastle (Block A) and two on Willoughby (Block B). On August 8 there was random digging on Block D, with holes left uncovered. On September 5 Mr. Sims installed 5 additional meters on Castle Drive (Block A), bringing the total installed to 30.

In our view, these meters were installed in a most haphazard manner. The person hired to do the digging had no map of the subdivision and no supervision from Mr. Sims. Many of the pipe lines are not contained within the property easements and wander around at random. A lot of lawns were dug up unnecessarily because the digger hadn't the foggiest notion where to begin, and a lot of holes were left uncovered, creating a safety hazard. Some of the meter covers were installed 12"-16" below grade level. The method of installation has been somewhat unprofessional; we have seen instances where pipes were cut too short and lines have been pulled together from both directions, with resultant leaks. As previously mentioned, there is still a leak in front of Mrs. Clements' home that was caused during installation of the meter in July and no one from the utility has attempted to repair it yet.

CONSTRUCTION

On July 1, 1991 a Show Cause hearing was held in the 6th District Circuit Court, initiated by the DER against Shady Oaks Mobile-Modular Estates for failure to complete construction of the proposed percolation by December 31, 1990. At the hearing Mr. Sims did an about-face and agreed to purchase bulk wastewater services from Pasco County, a move which Mr. Sims would not even discuss in February when he was first presented with the proposal. We presume this move had the approval of the PSC. In any event, it will probably affect the rate structure of the utility as the

pond will not now be built and the construction costs and land costs that were built into the rate base are no longer valid. The utility was mandated by the court to have the changeover completed by January 1, 1992. This will involve construction of connector lines to the county and decommissioning of the existing plant. WE have not seen any evidence of efforts toward these goals by the utility.

INCOME OF UTILITY

On July 25 electricity was cut off to the water pumps and the sewer treatment plant for non-payment of two months arrears to Withlacoochee River Electric Cooperative. The bills were for May and June of 1991. At that time the residents of Shady Oaks were left with no water and no apparent way to be rescued by any government agency. We think it is a shame that the laws of the state of Florida are written in such a way that no agency can or will assume the responsibility of taking control, even temporarily, of a utility that is controlled by the Public Service Commission for the good of the public, even when that utility shows such a degree of irresponsibility.
We believe that the utility had as much, if not more, money than it would have if payments had been made by the customers exactly the way that had been originally planned, and that non-payment of bills, as in the case of Withlacoochee and of Mathis, was an act of extreme irresponsibility and disregard for the welfare of the utility's captive customers.

The rates were set by PSC order to provide money for construction of the pond and installation of the meters. The pond construction has been eliminated; only 30 meters of a potential 185 have been installed. However, the entire maintenance fee (with the exception of approximately $60 monthly for electricity to the recreation center, the only service being provided) was available to the utility. This was paid monthly by 185 lot owners, except for July when 114 of those payments went into the court registry and were subsequently returned to the payees by court order. But in July over 60 people did pay the $25 to the Corporation, in addition to those who paid the $42.98 every month (approximately 20). In August and September the utility is receiving the $42.98 from everybody except those still on vacation. Since the PSC is unwilling to pro-rate the end of the six-month period the same way it did for the beginning (March), Mr. Sims will gain extra income from those 20 days that he really shoud not be entitled to. The enclosed chart should show clearly that the utility is not as bad off financially as it claims to be, and may help staff in making comparisons with the figures the utility is providing as to its income from the residents. We believe that the PSC staff has the idea that some of Shady Oaks' residents have not been paying anything at all to the utility and that is simply not true. We believe Mr. Sims may be using revenues for legal fees and personal support. Mr. and Mrs. Sims are allowed to take a combined salary of $1700 per month from utility revenues, but Mr. Sims has stated under oath that if he needs more, he takes more.

Since there are only 30 meters installed at this time, a grossly disproportionate number of the eventual total, we would like to see ALL of the customers of Shady Oaks pay only the base rate until ALL of the meters are installed, thus eliminating discriminatory collection of higher rates from a very small minority of the utility's customers.

CONCLUSION

As a publicly sanctioned monopoly, Shady Oaks Mobile-Modular Estates, Inc. needs to meet certain standards of performance. Lack of funds, for whatever reason, does not abrogate the utility's responsibilities. If the utility owner cannot meet his obligations, he should have to face the same consequences as any other business owner in the same position. The Public Service Commission should place less emphasis on helping the utility and more on helping the consumer.

We strongly believe that a utility operator who shows such total disregard for his customers should have his operating sanction withdrawn by the state of Florida.

/dkb

Enclosures

Copies to: Gregory Shafer
Gerald Figurski

ESTIMATE OF INCOME - 1991

SHADY OAKS MOBILE-MODULAR ESTATES, INC.

[S & D Utility]

MONTH	PAID $25 TO SOMME	PAID $42.98 TO S & D	PAID $25 TO R. SIMS	PAID $25 TO REGISTRY	TOTAL REC'D by SOMME/S&D
March	25x185=4625	42.98x 50=2199			5298
April	25x 35= 875	35.28x 20= 700	25x150=3750		5325
May	25x185=4625	35.28x 20= 700			5325
June	25x185=4625	35.28x 20= 700			5325
July	25x 64=1600	35.28x 20= 700		(25x114=2850)	2300
Aug	25x 20= 500	42.98x100=4298 -0- x 65= -0-			4798
Sept	25x 20= 500	42.98x100=4298 -0- x 65= -0-			4798
Oct	25x 15= 375	35.00x 25= 875 18.84x100=1884 -0- x 40= -0-	(reconnect) 15 x 25= 375		3509
Nov	25x 15= 375	35.00x 25= 875 18.84x140=2638	15 x 40= 600		4488
Dec		35.00x165=5775	(assuming all meters installed)		5775
			--Credit for resident payment of utility's electric bill.....		(1093.71)

*All figures are approximate, based on 185 owned lots in subdivision, 165 occupied residences, and approximately 65 residents who opted for "vacation rate" while they were away for the summer - no charges for utility service and a $15 reconnect charge upon return.

This estimate was prepared in August, 1991 by Shady Oaks Owners Association.

TO: CUSTOMER RELATIONS
FLORIDA PUBLIC SERVICE COMMISSION

FROM: SHADY OAKS OWNERS ASSOCIATION, INC.

RE: DOCKET NO. 900025-WS
ATTEMPT AT COMMUNICATION WITH UTILITY OWNER

DATE: SEPTEMBER 10, 1991

This is a report of an incident that took place on August 27, 1991 while the water was shut off to the entire park with no previous notice. Mr. Sims was standing in front of Mrs. Ruth Tutt's home at 38534 Monet Drive in Shady Oaks while a representative of the Bruce Carrigan Plumbing Company was repairing a leak at the site of a recent water meter installation. Dorothy Bird, vice-president of the Shady Oaks Owners Association and a neighbor of Mrs. Tutt's, approached Mr. Sims and waited until he stopped speaking to the plumber. The following dialogue of sorts took place:

Mrs. Bird: Excuse me, sir... is it necessary to shut off water to the entire park to repair this leak?

Sims deliberately turned his back on Mrs. Bird (observed also by Mr. Bird.) He did not respond in any other way.

Mrs. Bird: Sir, is it necessary to shut down water to the whole park to make this repair?

Mr. Sims: (Still-NO RESPONSE.)

Mrs. Bird: SIR...

Mr. Sims: (not turning) Are you talking to me, ma'am?

Mrs. Bird: Yes I am, sir. Is it necessary to shut down the whole park while you are fixing this leak?

Mr. Sims: Put it in writing.

Mrs. Bird: (to plumber) What about you, sir? Do you think the whole park has to be shut down in order to do this work?

Plumber: Ma'am, I'm only here to do a job...

Mrs. Bird: (to Mr. Sims, whose back was still to her) Mr. Sims, I want to know if it is necessary to shut water off to the entire park to work on this leak.

Mr. Sims: Put it in writing.

Mrs. Bird: Mr. Sims, you don't answer my letters. I'm asking you to tell me if it's necessary to shut off water to everyone in the park while you fix this leak.

Mr. Sims: Put it in writing.

Mrs. Bird: Most of the residents didn't see your notice. Could you tape them on the door to the clubhouse?

Mr. Sims: It's on the Bulletin Board, ma'am.

Mrs. Bird: People will see it on the door. Most of them don't go into the clubhouse.

Mr. Sims: I'm following the PSC rules.

Mrs. Bird: I'm asking you to post the notice on the door so the people will see it.

Mr. Sims: I'm doing what the PSC told me to...

Mrs. Bird turned and went home.

This incident is a good illustration why the residents of Shady Oaks are reluctant to even attempt communication with Mr. Sims. Most of them get the same sort of response or worse. Some of us have made several polite tries at resolving questions that we have regarding the utility and its services, with no better success than this encounter shows.

We believe that it is not necessary for the utility to shut down the entire park when working on an individual section, as there are separate shut off valves for the various system loops located around the park. When specific leaks occur, or water meters are being installed in a specific area, we think it is an unnecessary inconvenience for everyone in the community to be deprived of the use of water.

Regarding the notice in question,(intent to shut off water to residents), it was a small typed notice on a large sheet of white stationery that looked like a lot of the everyday notices that remain on the board, and was posted at 9 am the day of the water shutdown (at 9 am). Most residents did not know about it until the shutdown occurred, and were without water -- unnecessarily, we believe. It was not an emergency; the leak was first reported on August 12 and had been worked on twice since. IF MR. SIMS WOULD POST NOTICES OF WATER SHUTDOWNS ON THE DOOR OF THE CLUBHOUSE, MANY MORE RESIDENTS WOULD SEE THEM. Most of the residents have little occasion to go into the clubhouse and do not check the board daily just to see if the water will be on or off.

3652 Nudley Drive
Zephyrhills, Florida
33540
March 14, 1991

Mr. Greg Shafer, Chief Special Assistant
Florida Public Service Commission
Fletcher Building
101 East Gaines St.
Tallahassee, Florida
32399-0850

Dear Mr. Shafer:

My husband and I, Mr. Clarence Kellenhofer and Marie, of Shady Oaks Estates, are very unhappy with our newly formed utility.

On Thursday afternoon, March 7, Clarence went into the back yard of our residence and noticed a large amount of water just beyond our lot line. Upon inspection, he found water bubbling out of a PVC 2" pipe and proceeding around the area. Suspecting this must be the location of the water main, we called Mr Richard Sims at our home in Tampa. This was about 4 P.M. on Thursday. Mr. Sims seemed polite and said, "I'll take care of it tonight or tomorrow morning."

We reminded him that a lot of water was going to waste and we had a mere trickle of water from our faucets.

He didn't show up that evening or on Friday morning by 9 A.M., so Clarence got on his bicycle and rode up to the office. Mr. Sims was there and when asked why he didn't show up, he said we should call a plumber and wait for the problem.

A plumber was working in the neighborhood, so we asked him to walk over and take a look at our problem. He did so, and said he could fix it but who will pay for it? He won't work for Mr. Sims because he doesn't pay his bills. He said we'd pay. He said he had another job to go to, but would come as soon as Mr. Sims would shut off the water. We'd only have to call the plumbers office and he'd get the word and come right over.

Clarence went back to Mr. Sims to ask him to shut the water off. Mr. Sims reply was, "You see this attack of anthrax? They're all from the communal water. We have to abide by their rules. I can't shut the water off until they tell me I can. Before I can, You will have to notify everyone in the park of the time it will be shut off. (Personally don't think this is our duty).

Next the water didn't get to 11.

He said we could call the commission if we wanted to. He wasn't going to call them.

On the third trip to the office to urge him to shut the water off so we could get it fixed, he handed Clarence a message memo, of which I'm sending you a copy.

I called Mr. Peare, the former owner of our home, and he denied that Mr. Sims said he had only made a 'temporary' repair, and said Mr. Sims was a liar and always has been.

By this time, Clarence gave up trying to reason with Mr Sims and was very emotionally upset, as he has medical problems. Then Mr. Bob Lindahl, our association president, whom you met when you were here at our club house, offered to talk to Mr. Sims.

By that time, the plumbers were finished for the day, and, it being Friday, finished for the week. The plumber had told us they get time and a half on evenings and Saturdays ($60 per hour).

Well, Mr. Sims came to the park on Saturday AM, called Mr Lindahl and asked what time we wanted the water off. Mr. Lindahl called us and we said we weren't paying $60 an hour for a plumber on Saturday when we could

have had one for $40 on Friday. By now we didn't even have a trickle of water in our house, but the lake in the back was getting bigger. He said we'd schedule a plumber for 9 A.M. on Monday. Mr. Sims returned to his home in Tampa, without even coming to 'have a look at the leak'.

By Monday A.M. the water had spread into two more neighbor's yards.

When Mr. Sims arrived Monday morning, he again called Mr. Lindahl (not us) and asked what time to shut off the water. When told again - 9 AM - he said, "I'll shut it off right now." (8:45 AM).

The plumber arrived about the same time, put a pump in the washed out hole, and began pumping out water as they dug. After about an hour of pumping, they were able to get to the problem. As they dug, pieces of rags and plastic came up on their shovels. These must be evidence of the 'temporary' repairs that Mr. Sims made when Mr. Peare owned the home.

The two leaks were still gushing water when they uncovered them, even though the system was shut off. The leaks were at each end of a nipple between our

shut-off and the main. Tree roots had found this leak and had to be cut away with a jackknife to expose the problem. His temporary repair must have been to tie a rag from our shut-off valve to his line to hold the leak shut.

This repair cost $99.43 for 2¼ hours labor and $8.40 worth of parts. We were without water for over three days. We have better pressure now than we've had since we lived here. (2 years)

We don't think Mr. Sime is the right person to be running a utility. We cannot count on him for any assistance or cooperation in the event of any problems.

We hope our complaint will go on record with the other complaints you have listed against Mr. Sime.

Sincerely yours,

Clarence and Marie Eichhofer

P.S. We posted signs at the clubhouse and on a new NOTICE board for all to see so they came in or left the park over the weekend, that the water would be off on Monday

A.M.

3652 Muller Drive
Zephyrhills, Fla.
33540
March 13, 1991

Mr. Richard Sims
38616 Windy Oaks Drive
Zephyrhills, Florida 33540

Dear Mr. Sims.

Because it is hard to communicate with you face-to-face, we are writing this letter to you. We're also writing to the P.S.C.

Had you cooperated with us when you were first notified of our water-service leak, it would have been a simple matter to have it repaired. As it was, thousands of gallons of water were wasted as it spread into the neighbors' yards.

We called Mr. Peare regarding the memo you gave us about a 'temporary' repair. He denies that he was told it was a temporary repair, and said this was typical of your work.

We found evidence of those temporary repairs. Rags and pieces of plastic came up with the shovelfuls of mud. After pumping for over an hour as the flood water kept pouring back in the hole, the plumbers reached the leaks. It was at both ends of the nipple that joined your water line with our shutoff valve. The leak had been there for a long time as tree roots had found the water source, and had to be cut away with a jackknife to expose the source of the leaks.

If the water could have been shut off when we first reported it to you at 4PM on Thursday, March 7, it could have been fixed in less than an hour. It only took $8.90 worth of parts, but the labor brought the bill to $99.16. That is 5 hours of labor at $20.00 per hour.

We feel strongly that this should not be our bill to pay and that we should be repaid by the utility. As long as you knew of this leak and temporary repair.

As it was, we spent an entire 3 days without water. I will say we

have better water pressure than we've had in the two years we've lived here, which is more evidence that the leak was there for a long time.

If you are to head a utility that serves the people here in Shady Oaks — your customers — we believe it is your duty to show some Cooperation when we have service problems.

We would appreciate a reply to this letter, and would be pleased to hear you say, "We'll each pay half."

Sincerely yours,
Clarence and Marie
Kellnhofer

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

August 22, 1991

Florida Public Service Commission
Division of Consumer Affairs
Attention: George Hanna
101 East Gaines Street
Tallahassee, Florida 32399-0867

Dear Mr. Hanna:

On Monday, August 12, 1991, Mrs. Ruth Tutt, a resident of Shady Oaks Mobile-Modular Estates, south of Zephyrhills, discovered a leak in the main water line in her front yard that was saturating the ground and beginning to run under her house. The leak was noticed by workmen doing yard work and verified by a neighbor of Mrs. Tutt's, Robert Bird, who is also the Utility Committee chairman for Shady Oaks Owners Association. Mrs. Tutt reported the leak that day to Mr. Richard Sims, owner of Shady Oaks Mobile-Modular Estates/S&D Utility. Mr. Sims wanted to know who said the leak was in the main, and made no other comment.

Mr. Sims was in the subdivision on Tuesday but did not look at the leak. On Thursday, August 15, Mrs. Tutt's daughter and son-in-law, Mr. and Mrs. James Allen, inspected the damage caused by the leak, which by this time was a very large area of saturated ground. Water was running under the house and they were fearful that it could undermine the underpinnings of the home. Mr. Allen ditched the flow to run into the street. Mrs. Allen called Mr. Sims home in Tampa on Thursday morning and was told Mr. Sims would be away until late in the day. Mrs. Allen finally reached Mr. Sims on Thursday evening and he agreed to stop by on Friday to look at the situation.

On Friday, August 16, Mr. Sims stopped at Mrs. Tutt's and explained that he could not do anything about the leak because his helpers had not shown up. He asked for her utility payment at that visit, and said he would probably be back on Saturday to fix the leak. On Saturday morning Mr. Sims came to Shady Oaks, stopped to pick up Mrs. Tutt's check and said he would be back. About an hour later He returned with his son and they worked on the leak, but did not stop.

On Tuesday, August 20, the water was shut off to all the homes in the subdivision, without notice to all of the residents, in order to complete the repairs. When the PSC Consumer Affairs number was called about water being off without notice, they responded that the utility had notified then water service would be shut down on Tuesday for "emergency repairs".

We contend that the utility knew on Saturday that it would have to return and fix the leak; that since the leak had been running steadily for eight days prior to shutdown it could hardly be called an emergency. (As of the date of this letter, a small leak is still there.)

We think that adequate notice could have been given on Saturday or Sunday, and that the notice could have been posted more conspicuously. The handwritten notice (copy enclosed) was in fine handwriting and tacked at the extreme top of a 6-foot high bulletin board in a dark corridor inside the clubhouse. A notice taped to the door is always seen by more people.

We believe the utility was remiss in its handling of this situation.

Very truly yours,

The Board of Directors
Shady Oaks Owners Association, Inc.

Dorothy Bird

Dorothy Bird, vice-president

/dkb

cc: Gerald A. Figurski
Richard D. Sims
Gregory Shafer

I believe this to be a true and accurate account of what happened.

Ruth C. Tutt
(signature) Ruth C. Tutt

Aug 23rd 1991
(date)

Shady Oaks Mobile-Modular Estates, Inc.
1702 Highway 39 South
ZEPHYRHILLS, FLORIDA 33599
Telephone (813) 782-2686

8-19-91

It will be necessary to shut off the water the morning of 8-20-91 for emergency repair

R D Sims

HAVE A HAPPY DAY

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility
Regular Office Hours

Dear Mr. Hill:

This letter addresses the hours the utility office is open to serve its customers. In a memo dated April 8, 1991 to Mr. Richard Sims (utility owner/operator) we requested more hours and on a regularly scheduled consistent basis. A copy of this memo was sent to Greg Shafer, Chief of Special Assistance. We received a response by telephone on April 26, 1991 from John Plesko, consumer affairs analyst; his reply was that since this was a small utility it had only been allotted two hours of time each week in the rate structure. If the customers wanted more hours, it would cost us more money.

Our concern at this time is that, with only two (2) hours per week to conduct business at the Shady Oaks utility office, we would like the hours to remain consistent from week to week and month to month.

The last two weeks of March, following the approval of the utility's tariff, were different from each other. The month of April, while remaining the same the entire month, had different days than March. Hours for the month of May were scheduled for different days than in April as posted on May 1. However, this week a new sign appeared with hours for the week of May 13-17, and the times were changed.

Our vice-president, Dorothy Bird, paid a visit to the office on May 6 and asked why the scheduled hours could not remain the same. Mr. Sims amswered that "he had to go to court sometimes." When questioned as to how unknown court dates could relate to scheduling of hours, Mrs. Bird was told that if she had any questions she could call the PSC.

The residents in Shady Oaks range in age from 50 to 95, with the majority over 70. For the sake of those customers with limited mobility, we would like the hours to remain consistent, on the same days of each week and at the same hour. We hope you will be able to help us; Mr. Sims does not appear to be willing to do so.

Sincerely,

Robert W. Lindahl
President

cc: Jack Shreve
Richard Sims

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. Box 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 15, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc.- Utility Charges and credits resulting from a change in billing cycle

Dear Mr. Hill:

Most Shady Oaks homeowners received a customer notice from S&D Utility (an unauthorized name for Shady Oaks Mobile-Modular Estates, Inc.'s utility business) on Wednesday, May 1, 1991, dealing with a change in the billing cycle and resulting credits to the customers (copy enclosed). At our Association meeting on Thursday morning, May 2, many residents had questions about this notice, which we were unable to answer. Following the meeting, our vice-president, Dorothy Bird, went to the utility office during the scheduled office hour to ask Mr. Sims for an explanation. His response was that the PSC told him to send this notice and if we had any questions about it, we should call the PSC.

In a letter dated May 3, 1991, the ASsociation invited Mr. Sims to attend our next meeting (May 9) to explain the charges, credits and billing cycle adjustment. We have had no response to our letter.

We still have questions as to how the billing cycle was changed and how the credit was derived. None of us has received an itemized bill. We received a slip of paper saying we owed a specified amount, or we are delinquent by a specified amount, or we have a specified amount of credit.

If we are required to make payments to the utility, we should be able to expect an itemized accounting as to how the charges are derived. We would appreciate a timely explanation.

Sincerely,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 3, 1991

Mr. Richard Sims
Shady Oaks Mobile-Modular Estates, Inc.
38616 Shady Oaks Drive
Zephyrhills, Florida 33540

Dear Mr. Sims:

At our business meeting of May 2, 1991, a number of residents raised questions concerning the Notice to Customers they received from the utility, dated April 30, 1991, which dealt with a change in the billing cycle and credits to customers. Since there are so many residents with these concerns, we thought it might be easier for you and for us if you could talk to the entire group.

We are inviting you to attend our next regular meeting on Thursday morning, May 9 at 9 a.m. to give you the opportunity to answer questions and provide information about the utility and its billing procedures.

Please call me at 788-2830 as soon as possible so we can finalize arrangements.

Sincerely,

Robert W. Lindahl
President

RWL/d

cc: Charles H. Hill
Jack Shreve

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

May 14, 1991

Mr. Charles Hill
Director, Division of Water and Sewer
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Shady Oaks Mobile-Modular Estates, Inc. - Utility

Dear Mr. Hill:

On Monday, May 6, 1991, during the hour the utility scheduled to keep the office open, one of our residents, Mr. Carrol Meeusen, went to Mr. Sims' office to present his check. Mr. Sims was in the back room, which is marked "private", so Mr. Meeusen called to him that he had a check for him. Mr. Sims indicated that it should be placed on the desk. It was windy and the door was open. Mr. Meeusen expressed his concern that the check might blow away. Mr. Sims' reply was "Shut the f---ing door!"

We do not believe any customer should be treated this way by anybody doing business. We believe we are entitled to courtesy and respect from Mr. Sims when presenting payments. We also believe Mr. Sims should present himself in the office when a customer comes in, and should write a receipt for payment to be given to that customer.

This incident reflects a typical attitude taken by Mr. Sims and is one of the many reasons that the people of Shady Oaks do not wish to do business with him. If we were not a captive group, we would take our business elsewhere.

Respectfully,

Robert W. Lindahl
President

RWL/deb
enclosure

cc: Jack Shreve
Richard Sims

May 10 - 91

I Mr Carrol Meeusen went in to pay Mr Sims his Check for May water Survey, on May 8 at 10:00 AM.

I didnt see Mr Sims right away so I yell is anybody here and Mr Sims yell in here.

So I said here is Check, Miss Sims said put it on the desk and I said the Wend will blow it of And Mr Sims yell Back, Shut the F---K in door then.

I feel nobody should use anybody that way.

Mr Carrol Meeusen
3534 Castle Dr.
Zephyrhill Fla
33540-4510
Phone 788-3207

TO

Mrs. C. Wilson
38505 Beniger Dr.
Zephyrhills, Fla.

FROM

S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

DATE 4-16-91

SUBJECT

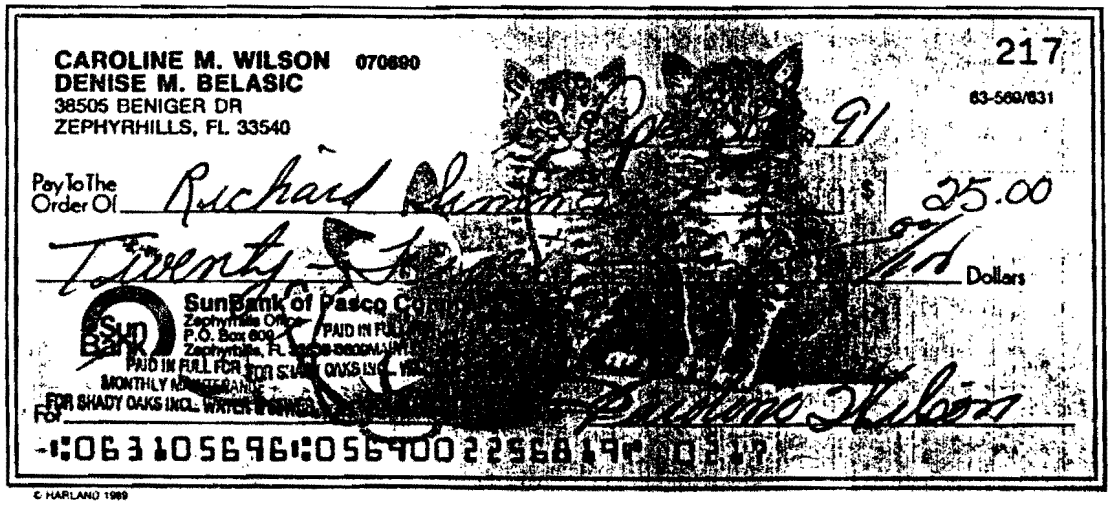
MESSAGE

We are returning your check, as it was not appropriately completed. There will be a $15.00 charge, please include that in the return check.

Very truly yours,

R. D. Sims

R. D. Sims



© HARLAND 1989

PLEASE

Mrs. C. Wilson
38505 Beniger Dr.
Zephyrhills, Fla.
33540

S & D UTILITY
P.O. BOX 280012
TAMPA, FLA 33682-0012

MEMORANDUM

TO
Mrs. B. Rines
38449 Danziger Dr.
Zephyrhills, Fla.

FROM
S & D UTILITY
P.O. BOX 280012
TAMPA, FLA. 33682-0012

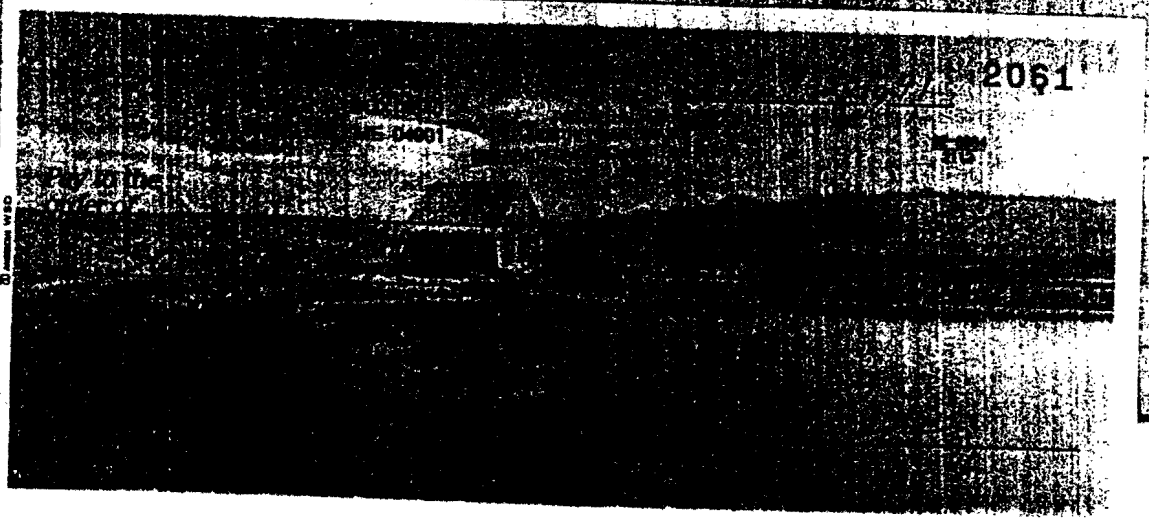
DATE 4-4-91

MESSAGE

We are returning your check, as it was not appropriately completed. There will be a $15.00 charge, please include that in the return check.

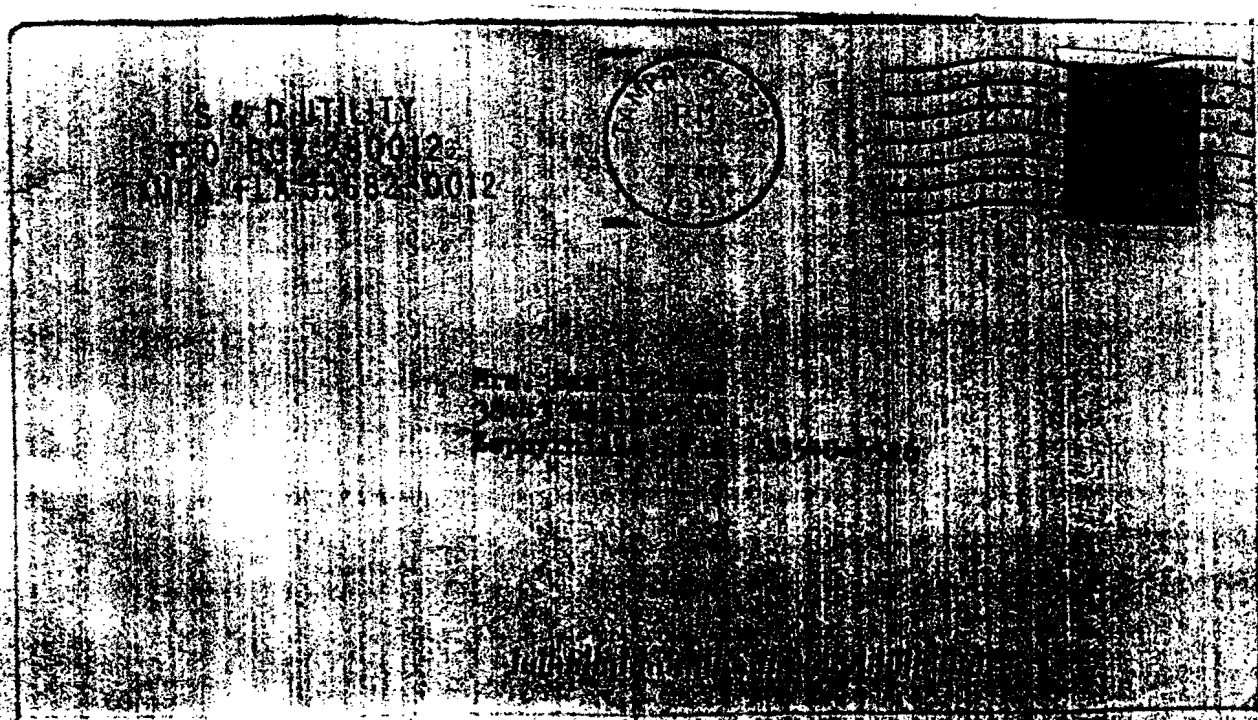
Very truly yours,

R. D. Sim



PLEASE REPLY BY

Adams



Mobile home park loses water service

■ Shady Oaks homeowners pay the developer's delinquent electric bill, restarting water and sewage service after a dry day.

By RICHARD DANIELSON
Times Staff Writer

ZEPHYRHILLS — About 120 mobile home owners — most of them elderly — lost water and sewer service for almost a full day after power was shut off to the private utility that serves Shady Oaks Mobile-Modular Estates.

Electricity was turned back on at 11:27 a.m. Friday — but only after the homeowners association came up with about $1,100 for the power bill.

"It's a tremendous inconvenience," said Dorothy Bird, vice president of the Shady Oaks Owners' Association. "We have many residents who are over 80."

The subdivision, which is about a quarter-mile south of U.S. 301 on State Road 39, contains 185 lots. Only about 80 of the homes in the park are occupied in the summer.

Mrs. Bird said some of the subdivision's residents had been released from hospitals recently and needed water for various medical treatments.



Lawyer Gerald Figurski tried to get help from public agencies.

"It was very definitely a hardship for them to be without water," she said.

The Withlacoochee River Electric Cooperative shut off power to Shady Oaks' clubhouse, water pump and sewage lift station around midday Thursday. There was no interruption of power to the subdivision's mobile homes, which are individually metered.

New Port Richey lawyer Gerald A. Figurski, who represents the Shady Oaks Owners' Association, said his office took a call from a panicked New Jersey woman whose parents, both in their 70s, had been left without water as a result of the cutoff.

Figurski said the interruption came after Shady Oaks developer Richard D. Sims told a co-op representative that he did not have the money for his electric bill following a court hearing on Wednesday.

A co-op spokesman said "the wheels were already turning" to collect the money due on Shady Oaks' accounts

Please see **WATER** Page 3

Water from Page 1

when Sims made his comment at the courthouse.

"We were extremely flexible with this account," co-op spokesman Ernie Holzhauer said. "We stretched as tight as we could stretch."

Contacted Friday afternoon, Sims declined comment.

"I really don't think that it would be advantageous for me to say anything about it," Sims said. He added that he gave permission for electricity to be turned back on and said, "I'm glad that the people came up with the money."

The association agreed to put up the money for the power bill after Figurski tried without success to get the county and other public agencies to act on the homeowners' behalf.

In response to a motion filed by Figurski, Circuit Judge Lynn Tepper signed an order Friday morning stating that whatever money the owners association puts up for the bill will be credited to the money that residents owe Sims or the utility.

Tepper's order is the latest in a long series of court actions arising out of a variety of cases involving Shady Oaks. In the past, Sims has been jailed for contempt of court for ignoring a court order to make repairs at the park and has been fined as the result of a state Department of Environmental Regulation complaint that the sewer system leaked.

Residents also have filed two class action lawsuits over the monthly fees they pay Sims for utility service. The first, in 1983, was resolved in favor of the residents. The latest was filed in June and is pending.

Mrs. Bird said the association does not think it is responsible for the power bill since residents are billed separately for utility service, but she said the association's officers "could not in good conscience let them go longer than they did without water."

By MAE JONES
Pasco News Staff Writer

Friday, August 2, 1991

EAST PASCO COUNTY — Potential reduction of indigent health care, solid waste assessments, and an unexpected shutdown of utilities in Shady Oaks, a Zephyrhills mobile home park, were addressed at Tuesday's Pasco County Commission meeting.

In the Shady Oaks utility shutdown, Dorothy Bird, vice-president of the Shady Oaks Owners Association, told the commission, "There is no agency in Florida to step in and rescue residents whose utilities are shut off through no fault of their own."

Bird said the park residents had been paying utility bills to owner Richard Sims, but he evidently did not have sufficient funds to pass on the payments to the utility.

"Last week, the electric company decided it could not stretch the issue of non-payment any longer and shut off service to the water pumps and sewage treatment plant July 25.

"Our attorney spoke to other agencies, attorneys, and the state. It seems there is no agency in the state that can address this situation. I am concerned that there is no provision in the laws when an emergency such as this occurs.

"The only way was for the owners association to agree, by way of court order, to pay the arrears, and the service was turned on the morning of July 26, with the provision that the money would offset the utility bills Sims gave to each homeowner."

"It can happen again. If we already paid the bill, and the owner decides on another place to put the money, and the utilities are shut down, who is going to protect the residents that are without service.

"We have residents who are recovering from surgery, elderly, and/or arthritic. They can't lift a bucket from the bathtub over to flush the toilet. Drinking water must be purchased," Bird said.

Wells asked Bird, "Can you get a permanent court order from the judge that would allow you as a community to gather together and answer the problem until the owner figures out what he's going to do."

Bird said that the owners association was out of funds. Many of the residents are on fixed incomes, and a hardship could be created.

Wells told acting County Attorney Karla Stetter, "If this person continues to treat these people this way, there has to be a legal way that we can go in and take that system over."

Stetter answered that the only way the county could do that would be if there is a formal abandonment of the system, then, under state statute, the county could step in. She added that there is a question whether Sims had a formal abandonment.

Commissioner Young told Bird, "The Board of County Commissioners can't go to the residents and say the county will take over the system because if the county does then we take on all the responsibility of any citations and violations against that utility system."

JUNE 6

thursday, june

friday, june

saturday, june

memo:

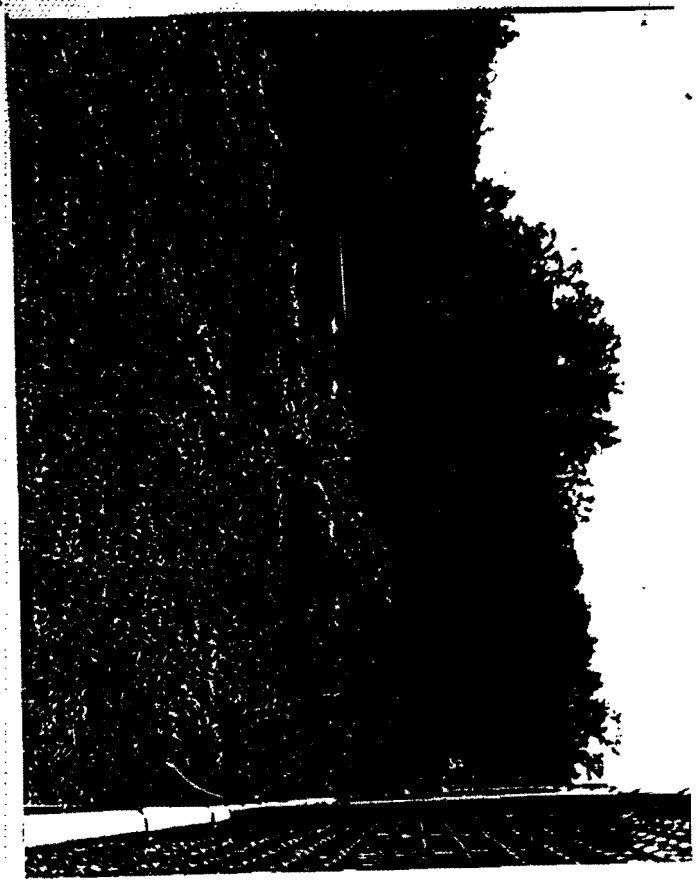
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JULY














3861

SHADY OAKS OWNERS ASSOCIATION, INC.
P.O. BOX 1030
CRYSTAL SPRINGS, FLORIDA 33524

August 13, 1991

HI, everybody ---

Never a dull moment! Just ask anyone who's been here this summer! Since our last letter, Mr. Sims was in court on July 1, courtesy of the DER, for not having completed construction of the new pond. Rather than be found in contempt, Mr. Sims agreed to sign a contract with Pasco County for the purchase of bulk wastewater services, to complete the necessary construction for hookup and to decommission the old sewer treatment plant. The changeover is due within six months. Hooray! (This action was before Judge Tepper.)

After a few weeks of quiet, we attended a hearing on July 23 on the injunction that was granted by Judge Tepper restraining the utility from collecting $42.98 or shutting off water, and allowing the $25 maintenance fee to be deposited into the court registry. The hearing was requested by the PSC, who asked the court for permission to intervene in this case on behalf of the defendant. Because Judge Tepper had a death in her family, Judge Cobb conducted the hearing. He ruled that the PSC would be allowed to intervene; the residents would pay the PSC established monthly rates ($42.98) beginning August 1; the residents could stop paying the $25 monthly maintenance fee; the money in the court registry would be returned to the payees. He also directed Mr. Sims to get an attorney to represent his corporation. Both attorneys present (Feil and Figurski) were to submit a proposed order to the judge incorporating these rulings. Since each version was slightly different and Mr. Figurski was out of town, Judge Cobb waited for his return to sign the Order. That is why we have waited to send this letter.

Enclosed with this letter are copies of newspaper accounts that explain what happened following the hearing. We conveyed our displeasure as far as the Governor's office and have voiced serious concerns to our state legislators. Shady Oaks residents endured 21 hours of "disaster preparedness" drill, including overnight, and it was not our idea of fun. We contacted every agency we could think of for help; none would accept the responsibility. Finally, Mr. Figurski appealed to Judge Tepper for a court order allowing the Association to pay the electric arrears for the utility, with credit for same to be applied to residents' utility accounts.

<u>We do not have to pay the $25</u> maintenance fee, at least for the time being. All of you who sent maintenance fee money for July and/or August to be put into the court registry are being refunded same, less $9.59 if your name is listed in the letter to Mr. Sims (see letter enclosed). Our thanks to all who cooperated in the withholding effort, and especially to Charles McClelland, who not

only handled all the money and made the trips to Dade City to make the payments but wrote out and signed all the refund checks. (Herb got a little writer's cramp, too, from adding his signature to 100+ checks.)

EFFECTIVE IMMEDIATELY and until further notice...

We will pay $42.98 monthly, August and September (unless you are on "vacation disconnect").

If your name is on the enclosed list (letter to Sims) you may take a ONE TIME ONLY CREDIT of $9.59 (either on your August or September payment, or when you are "reconnected" after you return.)

If you have written the utility a letter to discontinue service while you are away, you should not receive any utility bills until after you return and resume use of service.

According to our attorney's interpretation of Judge Cobb's order, we do not have to pay any utility charges billed prior to August 1.

MAKE YOUR CHECK PAYABLE TO: Shady Oaks Mobile-Modular Estates, Inc.
Mark it "for water and sewer - PAID UNDER PROTEST".
MAIL or deliver TO: Shady Oaks Mobile-Modular Estates, Inc.,
38616 Shady Oaks Drive
Zephyrhills, FL 33540
Bills are to be paid by the 20th of each month and no later than the 25th.

* *

If you have made any payments in advance to Shady Oaks Mobile-Modular Estates or to Richard Sims, either for utility bills or maintenance fees, please drop a note to Dotte Bird at the Shady Oaks Owners Association address stating how much, for which months, and for which purpose. Our attorney has requested this information for preparing our case.

We were all saddened by the death of Joe Bromley on July 19; we will miss him. Bob Lindahl's dad passed away August 2, and Catharine Dean's sister, Dura Christenson, also passed away this summer. Bob Mathews is seriously ill in an Atlanta hospital at this writing. Our heartfelt prayers and best of wishes to all.

Our thanks to each and every one of you for your continued support. It has been said "the wheels of justice turn exceeding slow". It takes a lot of patience and fortitude on our part to wait until things are "ripe" for happening. We are beginning to see some action now; however, we may hit some more "settin' and waitin'" periods. That's when we need your support the most ... while nothing seems to be going on. Rest assured, whatever can be done is being done. We welcome your suggestions and are more than willing to answer all your questions, if we can.

Thanks for all your good wishes, and thanks for "keeping the faith."

Dotte Bird for
The Board of Directors

SHADY OAKS OWNERS ASSOCIATION, INC.

P.O. BOX 1030

CRYSTAL SPRINGS, FLORIDA 33524

August 13, 1991

Shady Oaks Mobile-Modular Estates, Inc.
38616 Shady Oaks Drive
Zephyrhills, Florida 33540

Attention: Mr. Richard Sims

Dear Mr. Sims:

Pursuant to Judge Tepper's order, signed July 26, 1991 and a copy enclosed herewith, we are presenting this list of utility accounts to be credited and the amount of each, for an aggregate total of $1,093.71. This reflects the amount paid to Withlacoochee River Electric Cooperative for electric service in the name of Shady Oaks Mobile-Modular Estates/Shady Oaks Mobile Home Park for the months of May and June, 1991.

Angley, John/Norma	$ 9.59	Arnold, Barbara	$ 9.59
Armour, Margaret	9.59	Ashley, Harold/Doris	9.59
Ashwell, Theodora	9.59	Baron, Tulio/Viola	9.59
Beck, Charles/Norma	9.59	Beman, John/Joanne	9.59
Bennett, Harold/Ruth	9.59	Berkey, Elmer/Rosemary	9.59
Bird, Robert/Dorothy	10.04	Bispo, George/Frances	9.59
Blaney, Esther	9.59	Boberick, Edmund/Andrea	9.59
Borge, John/Margaret	9.59	Borte, Leo/Ruth	9.59
Boyce, John/Marie	9.59	Braidwood, Ronald/Pauline	9.59
Broberg, Carl/Betty	9.59	Bromley, Joseph/Fidelia	9.59
Brown, Lawrence/Mildred	9.59	Buturlia, Helen	9.59
Carlson, David/Florence	9.59	Carlson, Merle/Eveleth	9.59
Cayo, Stella	9.59	Chapman, Ida	9.59
Clampitt, Milton	9.59	Clark, Estill	9.59
Clark, Reed/Mildred	9.59	Clements, Helen	9.59
Coates, Valjean	9.59	Coburn, Vercia	9.59
Cody, Doris	9.59	Cole, Ralph/Ruth	9.59
Courtright, Geneva	9.59	Cullimore, Gerald/Prisc.	9.59
Drews, Earl/Helen	9.59	Ellis, Jessie	9.59
Feenstra, Barney/Hilda	9.59	Funk, Eugene/Grace	9.59
Garrett, Walter/Montie	9.59	Haken, Esther	9.59

Shady Oaks Mobile-Modular Estates, Inc. -
Utility Accounts to be Credited (continued)

Hein, Robert/Dorothy	$ 9.59	Houston, Idell	$ 9.59
Hulber, Oscar/Barbara	9.59	Jacob, Julius/Elizabeth	9.59
Johnston, Mildred	9.59	Kelly, James/Blanche	9.59
Kent, Charles/Nina	9.59	Knapp, William/Catherine	9.59
Lachapelle, Alvin/Marcia	9.59	Lanham, Curtis/Virginia	9.59
LeRoy, Joseph/Ina	9.59	Lewis, Della	9.59
Libby, Kenneth/Virginia	9.59	Lindahl, Robert/Gloria	9.59
Lindsay, June	9.59	Lilley, Jack/Barbara	9.59
Louder, Irene	9.59	Lyon, Verna	9.59
Mallon, Frank/Stella	9.59	Malott, Edith	9.59
Marz, Edna	9.59	Maxon, Reba	9.59
McBride, Wayne/Barbara	9.59	McCann, Robert	9.59
McClain, Herbert/Muriel	9.59	McClelland, Charles/Agnes	9.59
McGreevy, Mildred	9.59	Meeusen, Carrol/Cora	9.59
Miller, Leonard/Frances	9.59	Mitchell, Ollie/Jean	9.59
Murray, Austin/Virginia	9.59	Paaso, Marjory	9.59
Padgett, Lillie	9.59	Parsons, Roy/Mabel	9.59
Peneton, Earl/Margaret	9.59	Peneton, James/Margaret	9.59
Peterson, Les/Vera	9.59	Pierotti, Leo/Janice	9.59
Preble, Alta	9.59	Reedy, H.B./Sylvia	9.59
Reilich, William/Margaret	9.59	Ricketts, Dan/Helen	9.59
Rines, Basil/Maxine	9.59	Roberts, L./Webster, I.	9.59
Roepcke, Maxine	9.59	Roix, Elwood/Ann	9.59
Roof, Charles/Lilah	9.59	Rutherford, Bob/Lois	9.59
Rutledge, Lon/Audrey	9.59	Sadler, Bob/Hazel	9.59
Samuelson, Ernest	9.59	Schneider, William/Jane	9.59
Sinclair, Margery	9.59	Slosser, Ronald/Grace	9.59
Sorensen, Albert/Phyllis	9.59	Sorensen, Clara Jean	9.59
Spence, James/Mabel	9.59	Spinney, Laura	9.59
Standford, Mary	9.59	Stockwell, Josephine	9.59
Storr, Donald/Patricia	9.59	Stute, Elmer/Gertrude	9.59
Surdell, Stephen/Katherine	9.59	Tewksbury, Lee/Marie	9.59
Tutt, Ruth	9.59	VanGeison, Lawrence/S.	9.59
Vogelsong, Glenn/Verlia	9.59	Wentz, Eunice	9.59
West, Carolyn	9.59	Williams, Wesley R/Jac.	9.59
Wolters, Floyd/Helen	9.59	Porter, Albert	9.59

113 accounts	x $ 9.59	=	$1,083.67
1 account	x 10.04	=	10.04
Total to be credited		=	$1,093.71

We trust you will see that each account receives the proper credit immediately.

Very truly yours,

Dorothy K Bird

Dorothy K. Bird
Vice-president
Shady Oaks Owners Association, Inc.

Enclosures

cc: Gerald A. Figurski, Esq.
Individuals listed

A NOTE FROM THE DEFENSE FUND COMMITTEE

As you can see from our letter, we are now into litigation. Therefore, we are in need of any funds that are available. If you have already contributed your share we greatly appreciate your support. If you have not yet paid into the Defense Fund and wish to be part of the group being represented, please try to contribute your fair share. (If this causes a hardship for you, please contact one of the committee members - John Williams, Louise Miller, or Joanne Beman.) We definitely need <u>everyone's</u> help.

There are no unsecured creditors.

B. SUBMISSION OF FUTURE EARNINGS OR INCOME

Debtors shall submit their future earnings or income to the Trustee as follows:

Debtors shall pay the Trustee $250.00 per month for 6 months, $500.00 per month for 6 months, and $1,005.00 per month for 24 months, or until the claims as provided for by the plan are paid, if less than 36 months.

Payments to the Trustee shall commence within thirty days from th filing of the petition or as ordered by the Court.

CREDITORS	AMOUNT TO BE PAID UNDER PLAN
a. Priority	
1. Attorney's Fees	$1,220.00
b. Secured Creditors	
1. Shady Oaks Owners Assoc. (judgement)	$19,729.00
2. Ardaman & Associates (judgement)	$6,280.00
SUBTOTAL (A)	$26,009.00
c. Trustee's fee (9%) (B)	$2,601.00
TOTAL AMOUNT (C)	$28,610.00

6 MONTHS	x $250.00	PER MONTH =	$1,500.00
6 MONTHS	x $500.00	PER MONTH =	$3,000.00
24 MONTHS	x $1,005.00	PER MONTH =	$24,120.00
		TOTAL:	$28,620.00

The Trustee shall pro rate and first apply all funds to pay priority attorneys fees, then cure the arrearages of the secured creditors, curing the arrearages of mortgages within 24 months of confirmation. The trustee shall then pro rate payments among the general unsecured creditors. Title to the property of the estate shall revest in the Debtors upon confirmation of the Plan.

Dated: 4-22-91

Richard D Sims

Caroleni Sue Sims

Signature of Debtors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by HAND or U. S. Mail this 11 day of April, 1991 to the Chapter 13 Trustee, Chris C. Larimore, P.O. Box 10380, Bradenton, Florida 34282.

THE FLORIDA LEGAL GROUP, P.A.

MARK D. JASPERSON
(Florida Bar No. 586358)
4919 Memorial Hwy., Ste. 108
Tampa, FL 33634
(813) 889-0900

3914

Tab stop ⬇ for address | Adams PREMIER | 2 PART | carbonless FORM 9042

MEMORANDUM

TO
Mr. Mark D. Jasperson
The Florida Legal Group
4919 Memorial Hwy., Suite 140
Tampa, Fla. 33634

FROM
R.D. SIMS
1315 ECKLES DR.
TAMPA, FLA. 33612
Ph. 932-3177

DATE 9-12-91

SUBJECT

MESSAGE

Dear Mark:

We have just had a meeting with several officials of the Public Service Commission. They have requested that we set up a seperate entity for the utility fees only (water and sewer rate). At the present time there is co-mingling of funds, utility rates and maintence fees from Shady Oaks. They also want us to transfer several assets from Richard D. Sims and Caroline Sue Sims, such as land where the physical properties of the water and sewer system are located into S & D Utility. Bear in mind that S & D Utility is presently owned by Richard D. Sims as a sole proprietorship. This name could be readvertised adding Sue's name to it as co-owner. The original advertisement of S & D was in August of 1990, since that time we have a Federal I.D. number, and also an Unemployment Compensation. We have been making our quarterly payments, as some of the residents have been making maintence payments to Shady Oaks and also payments to S & D Utilities. It is our understanding that this process will have to go through the Bankruptcy Court. Very shortly we will be pursuing the collection of the maintence fees to Shady Oaks through the Circuit Court.

I would appreciate your advising us as soon as possible, as the P.S.C. is rather insistant.

Very truly yours,

R. D. Sims

R. D. Sims

cc: Denise Vandiver
Greg Shafer
Hank Landis
Public Service Commission

PLEASE REPLY BY_____ NO REPLY NECESSARY_____

Adams 9042

Memorandum

Commissioners:
THOMAS M. BEARD, CHAIRMAN
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

OCTOBER 4, 1991

TO: All Interested Persons

FROM: Steve Tribble, Director of Records and Reporting

RE: Notice of Commission Conference

Attached is an excerpt of the Agenda for the Commission's regular conference, which is scheduled to begin at 9:30 a.m. on OCTOBER 15, 1991 in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The attached excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

PSC/RAR 34 (Rev 1/91)

U.S. P.O.

RECEIVED
OCT 28 1991

900025

FPSC-RECORDS/REPORTING

As soon as you know your new address, mail this card to all the people, businesses, and publications who send you mail.
For publications, tape an old address label over name and old address sections and complete new address.

Your Name	Print or Type—Last Name, First Name, Middle Initial SHADY OAKS OWNERS ASSOCIATION, INC.				
Old Address	No. and Street —	Apt./Suite No.	P.O. Box 1030	R.R. No.	Rural Box No.
	City CRYSTAL SPRINGS	State FL	ZIP Code 33524-1030		
New Address	No. and Street —	Apt./Suite No.	P.O. Box 1006	R.R. No.	Rural Box No.
	City CRYSTAL SPRINGS	State FL	ZIP Code 33524-1006		
Sign Here	Signature Vera Peterson, Secy.	Date new address in effect 10/19/91		Account No. (If any)	

PS Form 3576, Apr. 1986 RECEIVER: Be sure to record the above new address book at home or office

4

Please have these prepared for ~~Doc~~ Corres file of docket (Shady data) 900025-WS

FPSC-RECORDS / REPORTING

NOV. 28, 1990

1. WHO ARE THESE PEOPLE AND WHAT ARE THERE CREDENTIALS.
2. WHOM DO THEY REPRESENT.
3. WE HAVE A COURT ORDER TO HONOR OUR COVETENCE TO THE YEAR 2000
4. IF OUR COVETENCE IS BROKEN WILL THIS HAVE TO GO TO A COURT OF LAW.
5. IF ALL AGREE TO A CHANGE, WHAT PROTECTION WILL ALL HOME OWNERS HAVE THAT INCREASES WILL NOT OCCUR WHENEVER THE UTILITY FEELS LIKE RAISING THEM.
6. WILL THE UTILITY GO BY PASCO COUNTY RATES
7. IF METERS ARE INSTALLED WILL THE UTILITY PAY FOR INSTALLATION.
8. OUR COVETENCE CHARGE IS NOW $300.00 A YEAR WILL THIS STILL HAVE TO BE PAID PLUS OUR NEW RATES

SHADY OAKS

3634 MULLER DR. ZEPHYRHILLS, FL.

HOME OWNERS George Bujo AND
Frances Bujo

FROM: CHARLES McCLELLAND SHEET # 1 OF 3
38603 MONET DRIVE
SHADY OAKS ESTATES.

ECONOMIC REPORT

BESIDES THE $300.00 ($25.00 PER MONTH) FEE PAID I FOUND NO MENTION WAS MADE, IN ANY OF THE REPORTS, OF THE OTHER BENEFITS RECIEVED BY BY SHADY OAKS ESTATES FROM THE HOME OWNERS, OR THE LAUNDRY BUSINESS (LOCATED IN THE REC. BLDG.) AND HOW MUCH WATER IS USED & THE WASTE WATER TREATED FROM THE LAUNDRY.

HERE IS A PARTIAL LIST OF BENEFITS NOT MENTIONED IN YOUR REPORTS, THESE ARE IN ADDITION TO THE #300.00 FEE. THE HOME OWNERS OF SHADY OAKS HIRED A CONTRACTOR TO SAND BLAST AND PAINT THE 8 SHUFFLEBOARD COURTS. (1600.00) THE HOMEOWNERS CLEAN & MAINTAIN THE COURTS.

WE HIRED A PAVING CONTRCTOR TO RESURFACE 5 OF THE ROADS IN THE PARK. (#25,000) WE ALSO SEAL COATED THESE SAME ROADS (#1000). SOME HOMEOWNERS MOW THE VACANT LOTS NEXT TO THEIR HOMES. WE FILL THE POT HOLES IN THE OTHER ROADS. SOME OF THE HOME OWNERS DO THE LANDSCAPING & MAINTAIN THE ENTRANCE TO THE PARK.

SEE SHEET #2

GWUC

SHEET # 2 OF 3 SHEETS

OTHER HOME OWNERS HAVE DRAINED, CLEANED & PAINTED THE SWIMMING POOL. THEY ARE ALSO MAINTAINING THE POOL.

WE HAVE PURCHASED NEW CARPETS, DRAPES, LIGHT BULBS, EXIT SIGN BULBS, SMOKE DETECTORS, ETC, FOR THE REC. BLDG. WE ALSO HIRED A CLEANING PERSON TO CLEAN THE REC. BLDG. THE MONEY FOR THE ABOVE COMES FROM CONTRIBUTIONS FROM THE HOMEOWNERS, & ARE A DIRECT BENEFIT TO SHADY OAKS ESTATES.

I DON'T FEEL THE AMOUNT OF WATER USED IN THE SWIMMING POOL, CLUB HOUSE, LAUNDRY & THE SHADY OAKS ESTATES OFFICE SHOULD HAVE BEEN CONSIDERED IN THE AVERAGE OF WATER USED BY THE CUSTOMERS.

WHAT RECOURSE DO WE HAVE IF THE UTILITY, AFTER IT RECIEVES ITS NEW RATES, FAILS TO PROVIDE THE SERVICE PAID FOR??

WHAT SIZE METERS WILL BE INSTALLED FOR RESIDENTIAL USE?

SEE SHEET #3

CWME

SHEET # 3 OF 3

I FIND IT HARD TO BELIEVE THAT THE PSC WOULD GRANT A RATE INCREASE TO THE SHADY OAKS UTILITY WHEN THE KNOW OF THEIR HISTORY OF MANAGEMENT PRACTICES.

IF THE P.S.C. HAS OUR "BEST INTEREST AT HEART" THEY WOULD HAVE CONSIDERED THE PASCO COUNTY SYSTEMS. WE UNDERSTAND THAT THEIR SYSTEMS ARE CLOSE BY.

Charles W. McClelland

May 24, 1985

PUBLIC SERVICE COMMISSION, UTILITIES DIV.
101 East Gains
Tallahassee, Fl. 32301
ATT: Bruce Deterding Ref: Water System in Shady Oaks Park

After reading the enclosed article,"STATE MAY SET FEES ON UTILITIES" from the East Pasco Tribune, Wed. May 22nd, we ,as residents, are very much disturbed that Shady Oaks Park developer is trying another angle to continue his harassment of us. We are senior citizens who paid our money to him and now he is doing everything imaginable to break his written contracts to us.

He hasn't made any improvements or spent any of our monthly maintance fee on the park since 1980. The club house ceiling is falling in and water just pours in when it rains. The toilets and water faucets all leak. He turned out the lights, disconnected the air and heat, and refused to clean up the swimming pool. Last Summer he put a junk fence around it and made NO entrance. The streets were never completed.

This was all promised to us with our deeds. <u>WE OWN OUR LOTS</u>. After several law suits, with a favorable result in our favor he is still disobeying the law. It is just not right to be treated this way. We are all between 65 and 85 years old and only want what we paid for, and then be left to enjoy our retirement.

Please do not approve anything that will make things worse.

Frank Mallon
~~19~~ Stafford Dr.
Zephyrhills, Fl. ~~33248~~ 33540
33546

CC: Bob Graham
Gov. State of Florida

Public Service Commission

Docket No. 90025-WS

STATEMENT BY HERBERT J. McCLAIN at the hearing of the staff-assisted rate case for Shady Oaks Mobile-Modular Estates, Inc.

Dated November 28, 1990

With reference to the memorandum prepared by Denise Vandiver, dated October 15, 1990:

Page 3: The quality of service has been reasonably satisfactory since final judgment with the DER was signed by Judge Cobb. We do have occasional interruptions of the water system, apparently due to the negligence of the operator.

Page 5: The memorandum agrees on the 4 acres of land for the new percolating pond location to be $193,988, or $48,497 per acre. This value is not realistic for this area.

Land on the north side of the entrance to Shady Oaks is now for sale at the asking price of $125,000 for 3.78 acres, or $33,088 per acre. It then follows that the price per acre could be further reduced from the asking price. Without a reduction in price, the value of the land for the new pond would be reduced $61,636 for the 4 acres. Since the owner is anxious to recover his investment in the 3.78 acres, it seems realistic that an offer of $100,000 might be accepted. This would then result in a reduction of $83,348 in the price stated in the memorandum.

The memorandum states that Mr. Sims provided a sales contract for the sale of 4.65 acres in 1985 at $68,817, indicating a sale of the property. The fact is that Mr. Sims never sold the property. The 3.78 acres now for sale is a part of the 4.65 acres referred to in the Sims sale contract. Actually, the property was purchased for the delinquent taxes.

Property along the west side of Highway 39 has been for sale for several years without any sales, except delinquent taxes sales. The PSC staff should consider the area of growth in the Zephyrhills area is north and west of the village. South of the village remains stagnant, which certainly affects the value of the property along Highway 39. Even the county tax appraiser values the land at under $16,000 per acre.

The indications are that the by-pass from Highway 301 to Highway 54 East will have little effect on land values for years to come. Truckers state they will not use it extensively as it ends up in the middle of nowhere.

Page 6: The present percolation pond occupies approximately one acre of land, according to staff. The fenced-in area around the pond consists of approximately 2.1 acres. In the past the acreage around the pond has been used for cattle and goat pasture, and for storage of motor homes and travel trailers. Since a lot of the land exclusive of the pond was used for things other than waste-water, is it necessary to purchase four acres of land for the new

pond? As I understand it, the new pool will be 2½ times as large as the present pool. Why then isn't 3 acres of land adequate?

Page 13: A fair return on capital investment should not exceed 10%. This is supported by an article in the Tampa Tribune's Business and Finance Section dated November 23, 1990. Mortgages are now averaging 9.93% for 30 years. I am sure most of the customers of the utility would be more than satisfied with a 10% return on their personal investments.

Page 16: Mr. and Mrs. Sims are both part-time employees of the utility. Businesses do not customarily provide free hospitalization policies for part-time employees. In fact, many businesses, both large and small, avoid fringe benefits by the use of part-time employees. In my 20 years experience in the field of employee relations, I can state that payment for hospitalization for part-time employees is the exception, rather than the general practice. From time to time Mr. Sims has employed part-time workers and I do not believe he can produce any evidence that he paid for their hospitalization insurance.

Page 17: The employment of Mathis Water and Wastewater, Inc. to operate the sewer plant at $350 per month (to increase to $450 per month) is rather odd. At a bankruptcy hearing before Judge Paskay, involving Mr. Sims, an inspector of water and wastewater systems from either the DER or Health Department testified under oath that he could teach a person with reasonable intelligence to operate the Shady Oaks sewer plant in 15 to 30 minutes. Is the employment of this company now being employed to assist in the building of a high base rate, only to be replaced later with cheaper employees?

Page 17: The staff engineer recommends the utility should have an increase of $1700 per month for preventive maintenance. No one can disagree that preventive maintenance is a good idea. But unfortunately, in the 14 years I have lived in Shady Oaks, I have yet to observe any preventive maintenance. Even when we were paying a monthly fee of $35.00, and later $40.00 in the late 70's and early 80's, maintenance didn't change. Apparently preventive maintenance is not in the makeup of the present owner. Presumably, the additional monies for this purpose will probably wind up ~~owner~~'s ~~pocket~~.

Page 18: Allowing $250 for rent for the office at Shady Oaks is not in line with rents in this area. Part of the office is used by a real estate company. The remainder can hardly be called an office. It is in poor condition with a very poor entrance. I doubt if it could be rented to anyone as an office in its present condition. As a comparison, fairly modern duplex apartments can be rented, furnished, for $200 per month in Zephyrhills.

Page 18: Considering the amount allowed for transportation including car insurance, apparently this is mostly for travel to the office from the owner's home in Tampa. Transportation to and from work is definitely a personal cost and should be eliminated from the cost applied to the rate structure. The trip would involve a minimum of 50 miles to and from the office. Transportation after Mr. Sims reaches Zephyrhills would only be a few miles each day,

plus he does not appear at his office more than 50% or 60% of the time. The test period does not truly represent a fair criteria for transportation, as I tend to believe Mr. Sims has been traveling extensively to accumulate figures to build up the rate structure as high as possible for PSC study.

Page 20: It is proposed to include taxes and assessments in the rate structure to avoid a risk that the utility could be ~~lost~~ to the tax collector. Who is going to police the payments? Does the PSC have any way to insure the customers of payment? As a matter of fact, PSC is doing the customers an injustice by ~~including~~ taxes in the rate structure. To lose the property in question to the tax collector could be one of the greatest benefits ever received in Shady Oaks. It would be most difficult to find ourselves in a worse situation than with the present owner.

In conclusion: Actual experience speaks louder than words. I must then conclude that it is questionable whether our service will improve under present management. A fair rate for our utilities, competitive with surrounding small water and wastewater utilities is not objectionable. Since the Public Service Commission is an impartial agency, should we not expect a more balanced evaluation than has been proposed?

Herbert J. McClain

Herbert J. McClain
3738 Muller Drive
Zephyrhills, FL 33540
(813) 788-2644

FROM: Robert M. and Dorothy K. BIRD
38553 Monet Drive
Zephyrhills, Florida 33540
(813) 788-1196

Shady Oaks
Lot 18, Block C
(unrecorded)

TO: Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

RE: DOCKET NO. 900025-WS
Application of Shady Oaks Mobile-Modular Estates, Inc. for staff assisted rate case in Pasco County

We have carefully reviewed the following documents pertaining to this case: the application for staff assisted rate case by Shady Oaks Mobile-Modular Estates, Inc. (SOMME), document number 00298 dated January 10, 1990; the memorandum dated September 20, 1990, an engineer's report prepared by Hank Landis; and the memorandum dated October 15, 1990, a report prepared by Denise Vandiver, economic analyst.

We offer the following comments and questions:

BACKGROUND: Item 10 of the restrictions and covenants recorded in 1972 by Mr. Richard Sims, owner of Shady Oaks Mobile-Modular Estates, Inc. states:

> "A yearly charge of $300.00, payable in advance, will be made for water, sewage, cable TV and Recreational Center including shuffleboard court."

Since that time, SOMME has received $300 annually from each of its homeowners. Without going into the various court cases ordering compliance by Mr. Sims, we submit the following acts of non-performance of contract, which we believe to be true:

Cable TV has never been provided.

The clubhouse is badly in need of repair and has been for some time; the owner provides only electric and water, and has on occasion failed to do even that.

The shuffleboard courts are also in need of repair. The surface of the courts has been maintained and paid for by the residents since 1987.

The pool was taken out of service by the owner in 1986. In 1988 the homeowners made and paid for repairs to put the pool in operation.

The entrance to the park was landscaped through homeowners' contributions and labor since 1988; they also provide the maintenance. Prior to that time it had been let go and was becoming an eyesore.

Garbage pickup was discontinued in 1979, except to those who paid extra. The same is true of street lights, which the residents now pay for directly to the county.

Street paving (implicit in each resident's property purchase) was never completed in phase two of the development. Mr. Sims refused to fulfill his obligation in this regard. In 1988, a group of individual property owners paid approximately $25,000 to have these streets paved. Although Mr. Sims owned six lots with frontage on these streets, he refused to pay for his share of the paving. Maintenance of the streets in the entire park since that time has been provided and paid for by the residents.

For the past two or three years Mr. Sims has posted a disclaimer stating he does not carry insurance on these facilities and will not be held liable for injuries occurring on his property.

In his application (on page 8), Mr. Sims stated he had 178 customers in 1986 and 179 in 1987. At $300 per year per customer, this would amount to an annual income of over $53,000. Even using the figures that the PSC allowed for utility income in the previous rate case (Docket No. 840360-WS) of $22.54 per customer per month, he would have had an income of $48,000 plus. On pages 3 and 4 of the application, combined revenues show only $31,392 in 1986 and $28,814 in 1987. The percentage of SOMME total income applied to utilities service was 59% in 1986 and 54% in 1987. We question where the balance of this income was applied? The only service being provided by the owner, besides water and sewer, was electricity to the recreation hall and pool, and that was reflected in Mr. Sims statement of operating costs.

In the engineer's report, he states (on page 2) that 23 customers are voluntarily paying $35 per month in support of the utility. These customers were actually receiving other services from Mr. Sims, including garbage pickup. This was discontinued by Mr. Sims in August, 1990.

On page 6 of his report, Mr. Landis states that he interviewed several customers with regard to quality of service. May we ask who they were? Only a small percentage of residents were in the park during July and we have not been able to locate anyone who was interviewed.

On page 11, concerning unaccounted for water - some of that should be allocated to the pool, jacuzzi, recreation center, and to the laundromat Mr. Sims provides on the premises as a revenue producing facility. Also, as Mr. Landis points out on page 10, tap water was used for gas chlorination at the sewer plant, and water consumption at the sewage treatment plant was not metered. Was that taken into consideration?

198 GPD/ERC has been allocated to customer usage. This figure multiplied by 185 existing customers = 36,630 GPD pumped. If the Table of Average Home Water Consumed Per Day (attached) is at all representative, then this community would realistically only use 20,905 GPD, even assuming there were 2 people in every household, and every house was occupied year round.

Economic Analysis

Issue 1: Is the quality of service satisfactory?

We have been residents of Shady Oaks since November, 1986. Water service (with the exception of the test year, which was markedly improved) has been inconsistent, running from good to almost non-existent. In that time frame there were many outages. Even now the pressure varies considerably. The engineer's report took notice that the PSC records were checked for complaints and none were found. This was because the residents of Shady Oaks were not aware of the PSC's complaint line. In the spring of 1987 particularly, there were constant water outages and extreme pressure reductions for a period of several months. Our complaints at that time were addressed to the local health departments and to the DER, who worked with us. Its records should show numerous complaints about service.

Issue 5: Should the cost of the projected plant improvements be included in utility plant in service?

According to the engineer's report, and stated in Issue 3, both water and wastewater facilities are 100% used and useful. We presume that to mean operating to capacity. If this is so, are the rate payers expected to share the costs of plant expansion to accommodate the development of the remainder of the park? Sewer and water lines have already been run to a portion of these lots. We do not believe costs for expansion should have to be paid by existing customers.

Also, on page 6, paragraph 1 - "Staff does not believe that the retirement of the old pond is through any negligence on the part of the owner"... Does the DER agree that there was no fault on the part of the owner? If it does, why did it fine him so heavily? And why were there so many directives from the DER to Mr. Sims for non-compliance? For over 5 years, the DER has been ordering improvements, and Mr. Sims seems to have been ignoring them. It is our belief that the utility's current state of disrepair is due to neglect of maintenance by Mr. Sims. We believe he should be REQUIRED to produce true and accurate maintenance expense records from 1972 forward so that a comparison can be made between costs and revenues.

Further, was the contract for the sale of 4.65 acres in 1985 consummated? What was the exact location of that acreage? Who was the seller and who was the buyer? $48,000 per acre seems to be an excessively high valuation for the site of the new pond. This site is included in Tract 1 of Shady Oaks and is currently valued by the Pasco County Tax Appraiser at an average of $11,804 per acre FMV.

Issue 6: Who owns the land?

The statement (Par.1, staff analysis) that transferring the entire utility from the mobile home park to a separate entity..."will assist in accounting for the utility separately as well as protecting the property from any liens due to unpaid property taxes on the remaining property." According to the Pasco County Tax Office, Department of Delinquent Taxes, subdividing the property does not protect it from liens and the properties are still considered to be one tract for delinquent tax purposes. There is a lien against Tract A for $16,500 by Nationwide Mutual Fire Insurance Company, as well as liens by Fleetwood, Fashion Pools and the DER. This is the property that the well and the pump house are situated on. It was subdivided in October, 1990, but carries tax liens from 1983 to the present. Tract A is scheduled to be sold at tax auction on January 17, 1991.

The property that the present sewer facility occupies, as well as the proposed expansion, is a part of Tract 1, which also carries tax liens from 1983 forward. The present sewer facility has been subdivided out (October, 1990) and there is no application for a tax deed at the present time, but the property is subject to that liability.

Issue 12: What is the appropriate amount and cost rate for long term and short term debt?

Is all of the debt to be assigned against the utility? Shouldn't it be pro-rated between the utility and SOMME?

Issue 15: Staff analysis, page 14, par. 2)

If the two customers with additional empty lots are not connected to the system, why should they be required to pay for the service? If these two lots <u>are</u> included in the rate base, why do you not also include the remaining empty lots in the developed section (phase 1 and 2), as well as the unsold lots (with sewer line in place) in the undeveloped portion (phase 3) of the development? You would then be dividing the costs among 242 lot owners as opposed to 185.

Can you explain to us what you mean by annualized revenues prior to adjustment for increased rates?

Issue 16:

We believe the appropriate level of operating expenses to be grossly inflated.

Purchased Power: We believe that the electric service should be placed on separate meters for the utility, the office, and the recreational facilities.

Contractual services: Was a contract maintenance service used by

the utility prior to the test year? If not, the use of contract service figures seems to have the effect of inflating utility costs by approximately $11,000 for the test year. (3217 + 7488 = 10,705)

Issue 22: Does the Commission have the authority to increase the water and wastewater rates and charges?

We believe you will find that 6,000 gallons/month/customer is an overly optimistic figure and that actual usage, as will be accurately shown by meters, will find Mr. Sims operating at a considerable reduction in income. Will the resulting adjustment in rates THEN be JUST, FAIR, COMPENSATORY AND NOT UNFAIRLY DISCRIMINATORY TO THE RATE PAYERS?

If the Public Service Commission is empowered to set utility rates regardless of the courts' decisions upholding $25 for services fee, does this not have the net effect of invalidating the deed covenant requiring payment of the fee, since the proscribed services are no longer being provided? Mr. Sims himself, in requesting PSC help in an assisted rate case, seems to be violating this covenant which also applies to him.

While you are setting up the structure for the owner of the utility to recoup his investment (page 23), will there also be a PSC mechanism to monitor the utility's physical and financial performance? And will the rate payers have guaranteed access to the utility's records and financial statements?

Are we required to purchase services from S & D Utility Company?

Issue 23: What is the appropriate rate structure and what are the recommended rates?

Our question concerns the rate of return on investment. Most businesses with which we are familiar expect a profit of about 6% in today's economic structure, utilities included. We believe that a 13.42% rate of return on investment seems overly generous, especially for a protected utility.

Question: Are the costs of meters, meter installation and meter reading incorporated into the rate base as described? And how is it that Pasco County can provide meters for 40% less?

IN CONCLUSION:

In addressing these issues, we believe, as the Public Service Commission does, that flat rates and unmetered service are not conducive to conservation. We are not objecting to a metered base rate/gallonage system; neither are we objecting to a FAIR rate structure.

WE ARE OBJECTING to rewarding Mr. Sims for past errors in judgment and for his inability to provide documentation to prove the

accuracy of his figures. We question the accuracy of much of the information and data used in determining the rate structure.

WE ARE VERY MUCH CONCERNED ABOUT MR. SIMS' ABILITY TO MANAGE A UTILITY COMPANY FOR THE PUBLIC GOOD.

We have no reason to believe that Mr. Sims will amend his manner of doing business and dealing with his customers. Therefore, if the Public Service Commission is empowered to act for the public welfare, and does not intend to compensate the utility owner for mismanagement, then why not use that power to disenfranchise the present utility owner/operator and allow the rate payers to connect with nearby county facilities?

Robert M. Bird

Robert M. Bird

Dorothy K. Bird

Dorothy K. Bird

November 28, 1990

Date

[redacted] Feb 28-90

Carrol and I feel Mr Sims should furish his own water for the swiming pool, office, and watering the ground around his own land he also take water from here to his home in Tampa.

who will furish ~~meters~~ meters).
If we are force to go to meters we do not want Dick Sims or any body he picks
also who set the rates?
The reason we want the water lines Check is because Dick Sims has had a meter on to check how much water is used in the park, he has water leaks thur out the park.
The County of Pasco has given Mr Sims many many warings about the water and sewage.

over

Mr Sims, told us if we would give $35.00 a month he would fix my things up and he didn't, he hasn't done a thing with $25.00 a month what the Judge handed down, he has lied thur his teeth about things he would do

Thank you
Mr & Mrs Carrol Meeusen
3524 Castle Dr

Nov. 28, 1990

To The Public Service Commission;

In my opinion I don't see how you can justify installing water meters and charging for the use of water when we have a court order stating Mr. Simms is to provide water and sewage disposal until the year 2000.

Also 6,000 gallons is way over exagerated as most home owners are not in the park for 6 months of the summer.

Also $8,000 per acre for 4 acres of new land for a sewage disposal is way over priced when it is tax assesed at $11,000 per acre.

In my opinion, I doubt Mr. Simms can operate the water system efficiently after seeing how he has let the maintance deteriate so badly over the past 9 years that I have owned property here at Shady Oaks. I beleive the county could provide much better service.

Oscar Hulber

Oscar Hulber

38604 S TAFFORD DR.
Zephyr Hills, FL. 33540
813 783-0486



Questions 11-28-90

Will the shady oaks residents receive better service or go back to the old do not care about the park?

1- Leaving leaks in the water line for weeks in 1989, that flooded the up and roads.

2- Do the residents have any other options for water & sewer?

3- If the residents have water & sewer meters from mr. Simms, will the 25.00 a mo be in affect? as there is no other service that we receive.

Joseph e LeRoy
Ina LeRoy
38400 Benejan Dr.
Brill

38425 Beniger Drive
Zephyrhills, Fa 33540
28 November 1990

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gains Street
Tallahassee, Florida 32399-0870
Docket No. 900025-WS Application of Shady-Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County.

1. The fact that this letter states this request is for conservation of water is only a new way to try to raise the monthly rates established when this park was started, and this idea of raising them was refused in court more than once.

2. I bought our place in this park in April of 1989 and moved in on 1 may 1989. Since then I have found that the only thing that I have received from the monthly payment of $25.00 has been water and sewerage. I have to sweep the roads before my place, the swimming pool has to be maint aned by a committee here in the park for which I gave a contribution when requested, the hydro pool has not been working since I have been in the park. Last spring when there were a lot of potholes that had to be repaired a committee requested some money to do the job, again I gave. I pay for pickup of garbarge, the street lights, and also for the new garbage incenerator that is being built.

3. Now if these new rates are put into effect will I still have to pay what I already am, if so for what? A system that at times causes the water to be just a dribble, in fact was so bad just after we moved in that we lost out waterheating unit and had to have Pattie electric replace it and not if we leave for a day we to be safe feel we must turn o off the electric heater for water? If you decide togive the requested rates will we again be without water each time a home has a break or leak in its water lines because there is no shutoff by home or area? I feel if we pay more we should receive a lot more that we now do from the recipient.

Donald H Storr

Nov. 28, 1990.

Director, Division of Records & Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Dear Sir;

We are writing in reference to Docket No. 900025-WS - Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate increase in Pasco County. We have read through the memorandums dated Sept. 20, 1990 and Oct. 15, 1990.

In reference to the Sept 20, 1990 memorandum we have a few comments and questions. As far as "quality of service" goes; the quality here has been very poor. We have had many times when the pressure has gone so low that it was impossible to do everyday activities such as washing dishes, flushing the toilet or taking a shower. After some breaks in the main we have had grass and sand come into the house. There have been times when the water smelled so bad you couldn't drink it and a number of people got sick.

As for "unaccounted for water", a great deal of water pumped is not going into the sewer. There have been breaks in the main that have flowed unchecked for months on end. Also, water used for lawns, etc. does not go through the sewer. Also, as to the number of flushes you estimate for the Rec Hall; we believe this to far exceed the actual number. The Association doesn't use the hall every day and we have observed that the rest rooms are used very little when they do. Most water used in that building should be allotted to the laundry, which is another profit

making venture of Mr. Sims.

You state flatly that the mobile homes in this park are double wide; when actually there are quite a few single wide units.

The following is from the "Restrictions and Covenants" filed for record Oct. 3, 1972:

7. Duration of Restrictions -

These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000 at which time said covenants and restrictions shall automatically be extended for successive periods of (10) ten years, unless by vote of a majority of the then owners of the lots or tracts.

Also, under "Restrictions and Covenants":

10. A yearly charge of $300.00, payable in advance, will be made for water, sewerage and Recreational Center including Shuffle Board Court.

Mr. Sims request for an increase in maintenance fees has been denied by the court because of the legal issues involving these deed restrictions. It also was determined at that time that the maintenance expenses of this park were only about 1/3 of the income from maintenance fees paid by the residents.

Also, the change of name to Shady Oaks Utility (or any other name) is just another attempt to get around these deed restrictions. Under any name it will be Mr. Sims.

You noted under "Field Investigation" that there was heavy vegetation growth at the facility and the owner indicated that it would be cut within a week.

Did you check to see if it was cut within a week? Or if it has been kept cut regularly since?

You state that the roof of the 20' x 20' building housing the Water Treatment Plant needed replacement and that owner agreed to correct the problem.

Has this been done?

You also stated that the Sewer Plant was supposed to be moved to a different site within 6 months.

Over 2 months has passed; has any work been started yet?

You also state that "most" residents spend only 6 months of the year here. We believe this to be inaccurate; a lot live here the year round and a lot of others go north for only 2, 3 or 4 months. However, this backs one of the points we wish to make. We are here only 6 months of the year but have paid the maintenance fee for the whole 12 months since 1984. This actually means we pay $50 a month as we use no facilities for 6 months of the year.

Will we have to pay water and sewer bills for 12 months if we are here for only 6 months?

Also, several years back, Castle Dr., Monet Dr. and parts of several other streets in this end of the park were barely fit to drive over, and nothing whatsoever was done. The residents on those streets had to have the work done themselves at an expense of several hundred dollars each. This not only

benefited us but also Mr. Sims (he didn't even pay his share for the empty lots he owns on these streets) as a number of people looking to buy in this park before, took one look at the streets and went elsewhere.

We didn't have the use of the Rec Hall or the swimming pool for many months until the Court ordered Mr. Sims to make repairs. Since then the residents have paid for the maintenance of them out of their own pockets. Also, the residents have had to pay to keep the Shuffle Board Courts maintained.

So, you see, we have paid a good deal of money over and above the $25 monthly maintenance fee. And now we are being asked to pay even more!

In conclusion, we firmly believe Mr. Sims to be incompetant to run and maintain, or to even read meters for a utility. Case in point, the run-down, neglected, poorly maintained present water and sewer system!

Sincerely,

Kenneth Libby

Virginia L. Libby

3613 Castle Drive

Zephyrhills, Fl. 33540

P.S. Please place us on the mailing list for this case.

FPSC HEARING NOVEMBER 28 1990

SHADY OAKS MOBILE/MODULAR ESTATES INC.

DOCKET NO. 900025-WS

QUESTIONS— MEMORANDUM SEPT 20 1990
(HANK LANOIS ENG.)

2.0. WHY NOW AND NOT MARCH 1986 IS THE COMMISSION ACTING ON RATE STRUCTURE- OR LEGAL ISSUE HAD BEARING - WHY NOT NOW YOU ARE SAYING JUDGE HAD NO KNOWLEDGE OR COMMISSION ENACTMENT - ARE YOU STATING FACT WHEN SAYING THIS.

8.0. WHAT GUARANTEES DO THE RATE PAYER HAVE OR ADEQUATE SERVICE/MAINTENANCE IN FUTURE - DOES THE FPSC MONITOR UTILITY OPERATIONS ON THESE SERVICES

8.2 ARE THERE REQUIRETENTS FOR ADEQUAT PRESSURE THROUGH OUT THE SYSTEM.

DER- ORDER

WHAT HAPPENS IF UTILITY DOES NOT FULFILL ORDER - IS THE FPSC POWERLESS TO ACT. WILL THE RATE PAYERS BE WITHOUT SERVICES — (WASTE)

32546 BENIGER

Robert W Dodd

15 QUESTION — SOME PART OF $125.00 WAS FOR MAINTENANCE OF CLUBHOUSE, POOL & SHUFFLEBOARD COURTS. ACCORDING TO SHARP EVALUATION THEY FEEL THIS WAS NOT SO - SO IF MR SIMMS RECIEVED THIS SOLELY FOR WATER / SEWER WHY IS THE SYSTEMS PREVENTIVE MAINTENANCE SO POOR.

I FEEL STAFF HAS DISREGARDED THE PORTION THAT SHOULD HAVE BEEN USED FOR OTHER PROVISIONS (AS QUOTED)

16 DOES STAFF FEEL OPERATING COSTS ARE CONSISTANT WITH OTHER LIKE SYSTEM IN THE AREA.

DOES INCREASING DOLLARS FOR SERVICE & MAINTENANCE GUARANTEE SERVICE FOR PARK LOT OWNERS - I QUESTION THIS RATIONALE =

WHAT TYPES OF VEHICLES ARE BEING INSURED BY THE UTILITY — INSURANCE COST.

21 ARE THERE STANDARD GUIDELINES OF RETURN OF INVESTMENT ON UTILITIES IN THE STATE OF FLORIDA — WHY 13.42%

24. MISCELLANEOUS =

WHAT RATE WILL UTILITY CHARGE FOR SERVICES OTHER THAN LISTED -

WHAT PART OF SERVICE (A/S) WILL BE RESPONSIBILITY OF UTILITY TO MAINTAIN

DOES UTILITY HAVE POLICY AND PROCEDURE MANUAL -

DO THEY WORK UNDER GUIDED STANDARDS WRITTEN AND APPROVED BY FPSC -

3854 BENIGER Richard W Tillett

Zephyrhills Fl
Nov. 28, 1990

Florida Public Service Commission
Re.: Utility Rates Shady Oaks

We are concerned with rates for water and sewer for Shady Oaks Mobile Modular Estates.
Due to Mr. Sims neglect of the water and sewer system the expenses he presents are high. Why should we have to pay for his neglect? Know this is only one of many questions residents would like answered.

Ruth L. Cole + Ralph H. Cole
38440 Willoughby Dr
Zephyrhills, Fl 33540

11/28/90

In the short time (2 years) that we have lived in Shady Oaks there have been many water problems.

First of all, the quality of the water has been very poor most of the time. Some days the water had a very chemical taste and then other days more like swamp water.

Without any previous warning the water would be shut off leaving us to wonder about the condition of our hot water tanks.

My husband and I do not object to meters being installed but feel that since he is disabled and on a fixed income, as most of the residents are, we can badly afford to bear the burden of this additional expense.

We do not know Mr. Simms that well but going by his previous record, we do not feel that his handling of this water problem is not in our best interests.

Dorothy & Robert Hein
3620 Castle Dr.

RE: - DOCKET # 900025-WS. NOV 27, 1990

AS A RESIDENT OF SHADY OAKS SINCE 1977, I AM CONCERNED ABOUT OUR JUDICIAL SYSTEM. WE HAVE BEEN THRU (3) COURT CASES AND ARE AGAIN FACED WITH BREAKING THE COVENANTS BY MR SIMS. REMEMBER- IT WAS HE WHO WROTE THEM.

MR. SIMS HAS NEVER IN THE PAST OBEYED ORDERS HANDED DOWN BY THE COURTS, WHAT COULD WE EXPECT IN THE FUTURE?

AS MEMBERS OF THE PUBLIC SERVICE COMM'N WOULD YOU HIRE THIS MAN TO RUN YOUR AFFAIRS? LOOK AT HIS RECORD.

1. LOST 3 COURT CASES
2. LEAN ON ALL HIS PROPERTIES
3. CONTINUALLY THREATENS BANKRUPTCY.
4. RECEIVED JAIL TIME FOR NOT COMPLYING TO COURT ORDERS
5. WE AS RESIDENTS HAVE NEVER SEEN THE GREAT PROMISES FULFILLED

SUCH AS: STREET CLEANING
POOL MAINTAINANCE
CLUB HOUSE MAINTAINANCE
FACILITIES FOR RV'S + BOATS
GARBAGE PICK UP
STREET LIGHTING
ETC. ETC. ETC.

I PERSONALLY WOULD NOT HIRE THIS MAN TO READ METER LET ALONE, ACT AS PRESIDENT OF A UTILITY. (P.S. I WAS A UTILITY EMPLOYEE FOR 36 YRS).

I ALSO FIND THE REPORT TO BE CONFUSING, AS I'M SURE MOST EVERYONE ELSE DOES.

PLEASE REMEMBER- THESE ARE SUPPOSED TO BE OUR GOLDEN YEARS. I COULD GO ON BUT YOU MUST MAKE A DECISION, MAY THE LORD GUIDE YOU

RONALD F. KOHL

Ronald F. Kohl

Nov 28, 1990

We are Sylvia & Lawrence Van Geison of 3559 Castle Dr Shady Oaks Park. We make these statements and ask these Questions of the Pasco County Service Commission.

Not Capital Structe Page 12

Why is these debts of Mr Sims and his son shown or Considered in this report. What was the money used for? It was not used to better or upkeep of Shady Oaks in the 6 yrs we have lived in this park sewer & Water is all we have recieved for the 300.00 a yr Charge. Each home owner on South Castle. Stafford and Monet streets pd $400.00 ea for the roads to be top Burfaced out of their own pocket many have given an additional amount to fill the pot holes on other areas of the Park. The front entrance rocks shrubs & plants were pd from the Association fund & work done by residents. Sims drained the pool & let it set no Water. Residents got permission to Clean paint and repair it with money from each house hold all labor was donated & the residents have been paying for all Chemicals used in pool The upkeep of shuffle Courts, Each resident

Rakes + sweep streets in front of his lots
Each resident has to pay yearly for the
street lights. Recently home owners reroofed
the Cabanna at the pool area. At one time
the water service was so bad even yet we
keep jugs of Water in each bathroom in
Case of low pressure or no Water I admit the
past year has been better maybe because of the
testing by you or Whoever. So why should these
debts that evidenty were not money spent here
be assessed to us.

Question no 2 to P.S.C Did this Service Commission
ever take into Consideration that the lots
each home sets on no longer belongs to mr
Sims. He sold + recieved the money for each
lot If mr Sims so intended for this park
to provide a long term income he should
have rented not sold the land to each
individual household. So why should
each Homeowner put in Water + Sewer Charges
to pay all mr Sims + his sons debts
mentioned on page 12. Also how many
Parks that the P.S.C been involved in
setting Rates were parks where the
developer has sold and not rented
the lots. This Commission should have
taken this in Consideration is our personal belief

Question 3. page 18 Why should the residents be assessed for Automobile Insurance and repairs. Even big Industry does not pay the laborer Car Insurance and Repairs. Where I worked never did

Question 4. Did the P.S.C Contact any home owners in Shady Oaks park to find out if all debts & bills Mr Sims reported were moneys spent here.

Question 5. Did the P.S.C. Take into Consideration the best interest of this park, No 1 for the residents or no 2 Mr. Sims. We as a majority I believe would rather recive water & Sewer from the County. As the meter readers and employees would be qualified to do the jobs required. We personally do not feel Mr Sims or Mrs Sims are qualified to do the Reading of the meters. We do not believe Mr Sims is qualified to administer this buisness of selling utilities If he was so, we do not think that all this land he is suppose to own in here would be up for tax sale.

Question 6. Who assessed the Value of the 4.65 A in 1985 & set the price at 68,817 per acre? It isnt beach property

2 uestion 7. Regulatory Exp on page 18
What does it mean liability Insurance as Mr Sims has had signs up the whole 6 yrs we have lived here Use at Own risk no Insurance.

Question 8
With the Services Commission rescinding the Judicial Circuit upholding of the restrictive Covenants. What does this do to the Current deeds of each lot. Does this make Our deeds null + Void? or of no Value to the Current Owner.

Question 9 page 7 In the Memorandum In Issue 23! Why did the Services Commission allow Mr Sims the price of 18,500, To Charge for the meters. Where did they get this figure from.?

Page 29. Do I understand You propose each household to pay a Charge of $1,200 for the percolating pond plus a $200. Charge for Water is this price over and above the $42.22 a month estimate?

Did the Engineer Consider in His report the broken pipes and Water leaks just Running and Wasting There has been one a long time and West slightly north of the Clubhouse Also one on Mueller Dr. at an unoccupied home it has been for at least 2 months

Question 10. My final Question

Are you the Pasco County Commission a tax supported office? If so you are supported by our taxes. Are you hired to represent the tax payer of Pasco County. If so why didnt you suggest in these reports it would be to the advantage of the tax payer in this park to apply for County Water and sewer Instead of Shady Oaks Utilities. Mr Sims does not even live in Pasco County. And I doubt if there is many homes or lots that are occupied that have delinquent taxes. Like the majority of the ones Mr Sims Owns.

TO THE PUBLIC SERVICE COMMISSION

RE: Docket No. 900025-WS - application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County

Homeowners in Shady Oaks are bound under a deed covenant recorded by Mr. Richard A. Sims, owner of Shady Oaks Mobile-Modular Estates, Inc. in 1972 requiring payment of $300 annually in return for services consisting of water, sewer, cable TV and recreational center including shuffleboard court. I believe Mr. Sims has violated the services part of the contract and allocated income solely to water and sewer. I question his credibility in this regard, in that he received income in excess of $53,000 in both 1986 and 1987 and applied less than 60% in either year to utilities, ($31,392 in 1986 and $28,814 in 1987). Is he capable of meeting PSC expectations in the operation of a utility for the public welfare?

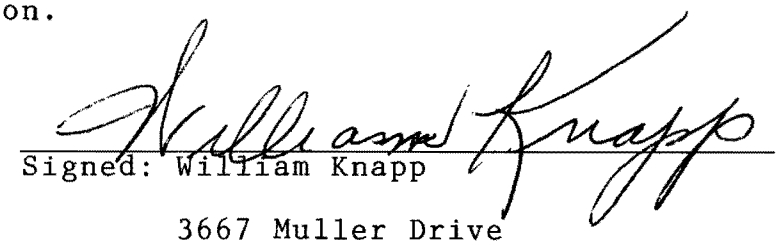
As a corporation, does Shady Oaks Mobile-Modular Estates, Inc. have the legal right to sell the utility to someone else (i.e. Richard and Caroline Sue Sims) without first offering it to the homeowners?

Is the PSC aware that the utility owner purposely destroyed his original records?

Are you considering the welfare of the residential customers in Shady Oaks in allowing S & D Utility Company to provide service and in establishing rates based on what I believe to be inaccurate information supplied by Mr. Sims?

I understand Shady Oaks Mobile-Modular Estates, Inc. is a Sub-chapter S corporation and does not pay any income tax. If you are basing your rate case on figures supplied from Mr. Sims' personal income tax, this does not reflect the corporation's income. A thorough and detailed audit by a Certified Public Accountant should be required in this case.

The land being considered for the new pond is located in a low use, low priced, slow-moving, undeveloped area. It is my opinion that the PSC has greatly overvalued the fair market value of the acreage under consideration.



Signed: William Knapp

3667 Muller Drive
Zephyrhills, FL 33540
(813) 782-7702

I am also the owner of the properties in Shady Oaks located at 3658 Muller Drive, 3702 Muller Drive, 3717 Muller Drive, and 38509 Cone Drive.

Nov. 25, 1990

Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Dear Sir:

This letter is in reference to:

"Docket No. 900025-WS-Application of Shady Oaks Mobile-Modular Estates, Inc. for staff-assisted rate case in Pasco County."

As I understand it, this is a sworn statement, therefore, these are statements of truths and real concerns with the proposed new water system.

Since we moved here in Aug. 1988, we have paid $25.00 monthly, which supposedly covered water, sewer, roads, Clubhouse, swimming pool, and shuffleboard use and maintenance. We have had assume many of Mr. Sims' responsibilities to see that things are fixed, repaired or replaced. We have tried very hard to keep harmony in the Park. We have had pot holes in the roads in front of our homes, in front of the Clubhouse, in the Parking lot, and in front of Mr. Sims' Office on Shady Oaks Dr. . These have remained for week after week until finally some homeowner has bought materials and repaired the holes himself.

We have watched the Clubhouse and surrounding buildings deteriorate further and further. Some of us have offered to repair or replace the roofs of these buildings if he would just furnish the materials. We have made this offer many times over the past year and as of Nov. 25, 1990 we have received no follow thru on this from Mr. Sims.

The roof of the Shuffleboard Court is in really bad shape with at least one large hole in it. A group of our men just went ahead and completely repaired the roof on the cabana of the swimming pool a few weeks ago because it had so many leaks in it.

The Swimming Pool was drained by Mr. Sims in Feb. of 1989 and was left with just rainwater, lots of tadpoles and frogs for over two (2) months until we asked Mr. Sims what he intended to do about the pool and he replied "Nothing, I don' have any money, I may just plant a palm tree in it." Then, some homeowners got together and drew up an agreement for Mr. Sims' signature, in which the homeowners agreed to do cleaning, painting and refilling of the pool and to maintain the chemicals, check the pool every day, and take care of replacing all filters and general upkeep of the pool, which we have done and have continued to do since May, 1989 up till now. A copy of that is included with this letter.

Docket No. 90025-WS-Application

We have seen the homeowners take on more and more responsibility for the upkeep and maintenance of Shady Oaks Park. We know a little something about painting buildings and cutting grass and repairing roofs. However, we don't know anything about maintaining and running a water and sewer system. It is difficult to realize what the problems are or might be. We are very concerned with our water and sewer system and would certainly desire that it be properly maintained and cared for. In my mind, we have been paying our $25.00 for water and sewer that's been done by Mr. Sims. I notice you're proposing to allow Mr. Sims a 13% profit margin if the new system goes in. I wonder what his profit margin has been these last 2 years with things the way they've been since we've been here? If the Public Service Commission allows him to put in water meters and allows him to break the covenants and establish basic water rates, I assume we will end up paying considerably more than the $25.00 per month. So, I'm sure the homeowners will not be willing to fix things or take care of water leaks themselves as they have in the past.
What recourse will we, as homeowners, have? Can we expect the Commission to take action and make sure problems are taken care of promptly if Mr. Sims lets problems drag on days, weeks, or months? I'm speaking of problems such as:

1. Leaks that go on for long periods of time.
2. Water pressure that is continously low.
3. Roof on pump house is never fixed.
4. The new septic pool is never put in.
5. The septic pool should have an odor that is too offensive.

Or, would our only recourse be to sue Mr. Sims as it has been in the past?

My husband and I were not living here in the former years when the homeowners sued Mr. Sims and the court cases were won but it seems to me that after homeowners have spent many thousands of dollars, we are right back where we started with the very same problems, plus a few more.

Finally, this is a retirement community and with just one (1) or two (2) people per household, we don't use a large amount of water for our personal use. We do use quite a large amount of water, however, for our lawns and shrubs. I don't see anything fair or just about charging us a sewer charge for water that goes on our lawns and never goes thru the treatment system. I would certainly hope and trust that an allowance would be made for a certain anount of water use that will not be going thru the septic system.

Thank you for your time and attention to this letter.

Sincerely,

Frances L. Miller

Frances Louise Miller

Leonard P. Miller

May 7 1990
~~April 23, 1990~~

Mr. Richard Sims
33616 Shady Oaks Dr.
Zephyrhills, Florida, 33540

Dear Mr. Sims:

We are a group of concerned homeowners in Shady Oaks who are willing to volunteer to assist you in the repair and Maintenance of the pool area. We will help to drain, clean, paint and repair pool and Jacuzzi. Also, we will help with the chemicals that are needed for the pool.

We will not be liable or responsible for any damage, mishaps or accidents that may occur at, in, or around the pool at any time including when it is being cleaned and readied for use as well as in the future use of the pool and Jacuzzi.

It is agreed for both parties (concerned homeowners and Richard Sims) will have a key to the pool house at all times.

The existing rules and regulations of the pool will continue to apply and all will try to see that they are enforced.

This agreement between the Concerned Homeowners and Mr. Sims (park Owner) does not in any way affect or interfere with Court Orders, Covenants and Restrictions, or any agreements between Shady Oaks Homeowners Association, Inc. and Mr. Richard Sims.

If at any time, anything is done to interfere with the upkeep of the pool, this agreement becomes null and void.

We agree to assist you in maintaining the pool as this states for a period of ~~two~~ (2) years. If all goes well, we can renegociate at that time.

If the above conditions are agreeable to you, please sign your full name and return as soon as possible.

Concerned Homeowners

Joanne Beman

Joanne Beman, Acting Chairman

Richard D Sims

Richard D. Sims, Park Owner

Nov.@4,1990.

The Director,Division of Records & Reporting.
Florida Public Service Commission.
Re:Docket # 900025WS.
Application of Shady Oaks Modular-Mobile Home Estates for Staff assisted rate case in Pasco County.

Dear Sir:Re.Report from Denise Vandiver,Economic Analyst.

Quality of service.

1-If the quality of service is judged by the lack of reasonable pressure and number of water shut-offs,the answer is POOR.Pump failure and line breaks have caused many unnanounced shut offs.

2.The method of clorination must be faulty. The taste of the water at certain periods each day,is so strong as to almost cause nausea!

Salaries & Wages.

1.Most residents pay Mr.Simms once per month and manyonly semi-yearly or yearly,therefore it would seem that 10 hours per week for Mrs.Simms bookeeping is overestimated.

2.Mr.Simms certainly does not spend 30 hours a weekattending to water & sewer facilities.The Staff recommendation of 10 hours is much more realistic.

General.

The electrical feeds for the Clubhouse,Mr. Simms office,and the sewer & water facilities,presently all on one meter must be separated for fair billing.

I feelthat any data compiled during the so called "test year"must be questioned.There have been many leaks in the water distribution system.Some of these have gone unrepaired for monthsat a time.This is not the responsibility of the residents and the consequent electrical & maintenance charges should not be billed to them.

Yearly water usage cannot be calculated by October to April usage since most residents are absent the other five months.

re:Hank Landis engineering report.

Vegitation around the sewer plant has only been cleared once a year after numerous complaints of nearby residents.

Unless Mr. Simms can back-up his expense estimates with legitemate bills, they become very questionable.

My wife and I have spent winters in Shady Oaks for over fourteen years and have seen the residents spend thousands of dollars defending our contract, which Mr. Simms has attempted to break several times. It would be very unfair for the Florida Public Service Commission to ignore this contract which has been upheld several times by the Court. If Mr. Simms cannot fairly uphold his end of the contract, let the Pasco County take over our utilities in that way we should at least get a fair deal without recourse to the courts again.

Yours truly,

A W Galloway

Mr. & Mrs. A. W. Galloway
3643 Muller Drive
Zephyrhills, FL 34248
33540

!!-28-90

Charles C. Kent
38522 Stafford Drive
Shady Oaks Park
Zephyrhills, Fla. 33540

To
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0870

Attn. Docket No. 900025-WS
Application of Shady Oaks Mobile Modular Estates Inc.
Customer Meeting 11-28-90

My Questions and Comments:

It is interesting to note in your case background that Circuit Court of the sixth Judicial Circuit upheld the restrictive covenants, included in the deeds of existing lot owners receiving service from Shady Oaks Mobile Modular Estates Inc.

The case background also notes the Staff engineer investigation included an in house evaluation of the application and a field inspection of the utility and its service arear.

This investigation should reveal that Shady Oaks is a very troubled PARK, and has been for soume time.

It should reveal that the only service houme owners receive for their $300.00 yearly fee is WATER and WASTE WATER TREATMENT, and that costs for all other services are being born by home owners.

It is shocking to learn that six lot owners pay nothing.

I submit to the Florida Public Service Commission that if you over-rule the Courts decision and break the contract between Richard Sims and Shady Oaks Park Home owners, That you will represent the best interest of Shady Oaks Park home owners as well as the Utility.

Would it be a better solution for Shady Oaks Park to be connected to the County water and Sewer lines?

As a home owner in Shady Oaks Park I respectfully request that the Florida Public Service Commission make a cost study of connecting the park to the County WATER and SEWER lines, and submit the costs to Shady Oaks Park Home Ownersbefore making any final decision.

In conclusion if a Water and Waste Water fee is assessed over and above the $300.00 per year that home owners now pay, and will they still be obligated to pay the $300.00 per year fee, and what services will they receive?

Respectfully Submitted
Charles C. Kent
Home Owner Shady Oaks Park

Florida Public Service Commission

11/28/90 Docket No. 900025-WS

(1) Section 8 Page 9: In the restrictions and covenants, #10 states that, and we quote: " A yearly charge of $ 300.00, payable in advance, will be made for WATER, SEWAGE AND RECREATIONAL CENTER including SHUFFLE BOARD COURT."

(2) Our book with the covenants: Section 8 page 5 #7 states: We quote "These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000, at which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots or tracts."

This has been signed by Richard D Sims president and Caroline Sue Sims. Pasco county, Florida the 29th day of September, 1972.

(3) Mow section 8 page 9 # 10: This states in the restrictions and covenants, again we quote: " A yearly charge of $300.00, payable in advance, will be made for WATER, SEWAGE and RECREATIONAL CENTER including SHUFFLE BOARD COURT."

(4) The people in the park have had to clean and repair the pools, the roof on solar heater, and also patch the roads, plus fixing up the front entrance. Sims for spite turned off the street lights and he was taken to court. Now the county has taken them over. Our fee for this is paid by each owner. Mr Sims has not done much to keep up the covenant that he and his wife signed. As far as we can see the people in the park do most of the work.

(5) Just WHO started all this water business? Richard Sims to receive more money or the Public Service Commission.

(6) Now if this UTILITY is Mr Sims, just who will see that he takes care of it. (And not like he has done with the roads, front entrance, street light and all the rest of his neglect. If the Public Service Commission declares this covenant void- our $300 per year would be just a gift for no service. As Mr Sims has not lived up to his part of the covenant to take care of the roads, pool, recreation section, prior street lights and all the rest. How do we know this utility will be any better? And in this $300 per year is included the WATER and SEWAGE.

Des Bort
Ruth Bort

3651 Mullin Dr.
Zephyrhills, Fl.
33540

11/28/90

Docket No. 900025-WS

Florida Public Service Commission

We Carol & Daniel Cole residing at 38437 Beniger Dr. in Shady Oaks Mobile-Modular Estates, Inc. Zephyrhills, Fl 33540-6413.

1) Who started this? Richard Sims or the Public servive commission.
2) My book with the covenants (# 7 Section 8 Page 5). States that, and I Quote: "These covenants and restrictions are to run with the land and shall be binding upon the undersigned and upon all the parties and all persons claiming under them until the 1st day of January, 2000, at which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots or tracts."
This has been signed by Richard D Sims president and Caroline Sue Sims. Pasco County, Florida the 29th day of September, 1972. It carries the corporate seal of Florida 1071.
3) Section 8 Page 9 in the restrictions and covenants #10, states that, and again I quote. "A yearly charge of $300.00, payable in advance, will be made for WATER, SEWAGE and Recreational Center including Shuffle Board Court."
4) This is my second year in the park. So far as I know Mr. Sims has done nothing in the way of maintenance, on the swimming pool, the roads or the front entrance. The people in the park cleaned the pool and fixed the tiles, also the roads have been patched and coated to help preserve them. We pay the county to take care of the street lights as Mr Sims turned them off for spite.
5) If this utility is Mr Sims who will be responsible to over see it? Now if the Public Service Commission declares this covenant null and void, then I will not have to pay him this $300 per. year as he has not lived up to taking care of the roads, pool, recreation section, (street lights, at the main entrance, next to recreation hall.) And this $300 per year has the water and sewer included in it.

Carol & Daniel Cole
38437 Beniger Dr
Zephyrhills, Fl 33540-6413

Carol L. Cole
Daniel Cole

(you will notice there was a lack of the air conditioner in the building tonight — no lights around the club house,

The East Pasco Tribune
AN EDITION OF THE TAMPA TRIBUNE
Wednesday, May 22, 1985

Park's owner seeks state-set fees on utilities

If the Public Service Commission accepts jurisdiction over the mobile home park's utilities, any rate increase would clash with a court ruling.

By DONNA CROTHERS
Tribune Staff Writer

ZEPHYRHILLS — The owner of the Shady Oaks Mobile Home Park, where monthly rates for utilities and recreational facilities have been set at $25 until the year 2000 by court order, is asking the state Public Service Commission to regulate the park's water and sewer system.

If it decides to take jurisdiction, the Public Service Commission would set utility rates for the 180 households in the park. Doing so, however, could mean a clash with the rulings by the Pasco Circuit Court and the Second District Court of Appeals, according to commission officials.

"The law gives us exclusive jurisdiction over rates ... but in this case, the court has extended its jurisdiction and we're not sure how far it goes," commented Bruce Deterding, engineer with the Public Service Commission. "In order to make him (park owner Dick Sims) jurisdictional, we may have to overturn the court ruling — that's never been done."

Both the legal and water and sewer departments of the commission have issued "split recommendations" on the request of Shady Oaks owner Sims to come under the agency's regulation, according to Deterding. The commissioners will decide the issue at their June 4 meeting in Tallahassee.

"Even assuming it could be done — and I'm not sure it could — the question is should it be done," said Neil Polster, attorney representing a group of Shady Oaks residents. "My opinion is Mr. Sims should abide by the final judgment ... upheld in the highest court in Florida except for the Supreme Court."

The court orders setting the Shady Oaks residents' monthly fees at $25 were the result of Sims' attempts to raise the fee to $40 in 1983. Residents argued that the covenants and restrictions set the fee at $25 until the year 2000, and Pasco Circuit Judge Wayne L. Cobb ruled in their favor in October 1983. His decision was affirmed by the Second District Court of Appeals in July 1984.

The circuit court also ruled that Sims was to give residents access to the clubhouse, pool and other recreational facilities at all times. But residents say Sims has not done so, and about 70 households, members of a group called Concerned Persons, have withheld their monthly $25 fees since April 1984, depositing the money into a separate checking account.

Because the residents' fees are unrealistically low and some have been withheld, Sims says he cannot afford to provide utility service and recreational facilities to the people who live in Shady Oaks. He has currently filed for a reorganization of debts under Chapter 11 of the federal bankruptcy code.

When asked if he thought the Public Service Commission would mandate higher utility rates than the $25 set by the courts, Sims said, "You know as well as I do the rates would go up."

Deterding could recall only one time when the commission took jurisdiction of a utility system in which the owners had already contracted a monthly fee; in that case, the old fee was continued for the owners but new owners paid the commission-mandated rates.

Residents said Tuesday that they could not believe the Public Service Commission could override the

See PSC, Page 4

PSC

• From Page 1

courts' ruling on the rates.

"They're stepping on thin ice," declared Ann French, president of the Concerned Citizens group.

"An unelected agency having authority over the court — that would be precedent-setting," said Elwood Arbo, president of the Shady Oaks Owners Association.

Deterding estimates that the Public Service Commission regulates about 20 mobile home parks in Pasco County. Small utility systems have the option not to be certified by the commission if they meet one of eight exemptions set forth in Florida statutes.

"Most of the mobile home parks don't opt to come under our regulation, but more and more are doing it" because it can give residents the assurance that any utility rate increase has been scrutinized by the state agency, said Deterding.

ESTIMATED

AVERAGE HOME WATER CONSUMPTION PER DAY

GALLONS PER DAY	OCCUPANCY	
	1 PERSON	2 PERSONS
Toilet flushes (4 gallons per flush)	32	64
Dishes	5	10
Cooking	2	3
Laundry	5	10
Lawn watering	15	15
Showers	4	8
Car wash	3	3
Total gallons per day	66	113

Household with 1 person occupancy x 30 days = 1,980 gal./month

Household with 2 persons occupancy x 30 days =3,390 gal./month

RE: Shady Oaks Mobile-Modular Estates, Inc.
Docket No. 900025-WS

1. Is or will the owner of the water and sewer facilities at Shady Oaks Mobile-Modular Estates, Inc. licensed by the Public Utility Commission?

2. Who will read the so-called meters?

3. There have been no park services in out three years in this park. No laundry area, pool in disrepair until taken over by the residents, and the streets paved by the residents.

4. As there are no other services any resident using their home only six months each year pay $50.00 each month for the water and sewer.

5. The owner of the Shady Oaks Mobile-Modular Estates refused to cooperate in April 1990 when a water valve needed replacing. He backed out on his promise to shut off the water at a given time.

   When we returned to Florida there was water damage in the bathroom because the water was not shut-off.

Betty & Edward Peasley
38608 Monet Dr.
Zephyrhills, FL 33540

813-872-3938

6. Every city we have lived in, the Public Utility owned the meters and they were placed on the right-of-way.

Betty A Peasley

Re: Shady Oaks Filed application for a staff assisted rate 9/20/90

Question: Metered water and sewer

We bought in Shady Oaks November '89. Our attorney contacted Mr. Sims, and was told we had to pay $300.00 per year in advance for services including water and sewer. This we did at our closing. Now, after one year, we are faced with a very different situation. Do we have no alternative to the present proposal as stated by this application? What happens to our $300.00 per year if you grant Mr. Sims this new meter system?

Is Mr. Sims responsible to start a new utility company? Having investigated on the County level, we find several liens against his properties. It appears that his ability to operate a new utility company, if granted, would be in question. If he is granted this responsibility of a new utility company, who monitors it? Who reads meters? If there is a problem who solves that problem?

There is a property tax lien against this very buiiing for over $23,000.00 to be sold at public sale on Jan. 19, 1991.

Mr. Sims quotes a figure of $68,817.00 per acre as the worth of his land for the new sewer site. He intends to buy this from himself and charge that amount back to the people of Shady Oaks. The County's fair market value of property is $11,000.00 per acre.

There are many items in this report that we have read, that we would question as true expense.

As we said at the beginning, we have not been in this park for only a year, but we would like to be treated as was so stated when we came.

County water lines run very close to this park. Is this not a possibility?

All aspects should be studied before a decision is made, we believe.

Ben I. Weld

Ben I. Weld

Mary C. Weld 11/26/90

Mary C. Weld

38449 Willoughby Dr.
Shady Oaks Park
Zephyrhills, Fl. 33540

Florida Public Service Commission
101 East Gaines St.
Tallahassee, FL.
RE: Document No. 900025-WS

Question: Do we as Shady Oak Estates property owners have a voice in who takes over management of sewer and water system? If so, could other options be explored before a final decision is made?

Question: After several years of PSC's supervision of present system, can you honestly say that Mr. Sims has done a satisfactory job, and complied with your requirements?

Comment: When we bought lots here, a portion of the water and sewer system was included in the cost of each one. Over the years the system has badly deteriorated under Mr. Sims' manaage-ment, even though for many years he has received approximately $50,000.00 annual maintenance fees from the residents. For this fee we get only sewer and water. The "varied" services have been eliminated by Mr. Sims,

and are now financed by the residents. It is my opinion that we should not reward Mr. Sims for his neglect and incompetence by allowing him to continue management and maintenance.

Comment:

It is my opinion the figure for land needed for new retention pond is grossly inflated. Mr. Sims already owns the land. Now he wants us to pay his newly formed corporation to buy it back from himself! It is also my opinion that it is ridiculous to include health insurance for Mr. Sims and his wife for a 10 hour work week! Nor do I think it is fair to include any of his transportation expenses. I strongly urge the Commission to rethink and refigure these items.

Mildred Johnston
38517 Cone Dr.
Zephyrhills, FL 33540

TO WHOM IT MAY CONCERN:

We have lived in this park for 16 years (1974) and have experienced more water problems than during the previous 60 years of our lifetime. In the summer when the park population is at its lowest, we experience pressure losses of 50% to a low point of no pressure at all, on many occasions. It is impossible to remedy the situation, because Sims lives off the property. Water is shut off any time he desires without notice. Rumor will say he will shut off water on a given day, and nothing happens on that day, but maybe 2 days later it is shut off. Those things happen in Shady Oks, because Sims is the final authority.

Sims has been in violation with the DER for two years, for polluting the environment. He has installed overflow pipes on the sewer system, which discharges on to neighboring property. The DER has cited and fined him for these practices. This violation has been documented (PHOTO) by people in the park and the evidence presented to DER.

The loans Sims claims in the report are not documented. Could they have been for the purchase of a car, or repairs to his swimming pool at his home in Tampa, or whatever????

The item in which Sims wants compensation and Medical Insurance for himself and his wife is ridiculous. Where in the world would a person who will work 10 hours per week qualify for such benefits, or even expect them.

The price which your Agency approved for the land (which he is selling to himself), because nobody would buy it at any price (when it was posted for sale) is also ridiculous. I am sure that land in Zephyrhills can be purchased at much lower rates per acre, than you have allowed Sims to charge himself. In fact a similar piece of land, which was originally a part of this park (lost because of non-payemnt of taxes), is now for sale at approximately $125,000.00 for a 3.4 acre tract.

In conclusion, it seems to us that the residents of this park should have an alternative in choosing life supporting services, such as water and sewer,

but none is offered to us. In the report a mention of a survey purported to have been made, in relation to this application made by Sims for the utility; We live here year round and I have never been contacted, or interviewed in regard to this matter. In fact I fear that the only in put into this affair has been made by Sims. We are sure that the majority of the residents in this park would not have Sims as the operator of these facilities. His track record since the opening of this park is definitely not the kind of resume anyone would approve from a job applicant.

Alvin & Marcia Lachapelle
3723 Muller Drive.
Zephyrhills, Fla. 33540

In 1979 Sims let everyone to pay him $35.00 instead of $25.00 & would fix & keep things fixed. Even then Sims didn't fix or pu money back into the park for maintenance. The people in t park have paid over $25,000.00 to fix some of the roads, spen thousands on recreation hall, pool & shuffle courts. The D.E.R. ordered Sims to fix the sewer & levied fines against hi years ago. All Sims did was dig the retention pond a litt larger & installed a pipe in the back of it, so over the weekend he could uncap it & drain the pond down. D.E.R. knew this as pictures were sent to them. Sims was told to bring the well pipes up to ground level years ago. Sims finally did fix one, but the other pipe for the other well is laying on the ground next to it. Why was Sims allowed to let other places haul in sewer & dump it in a man hole next to the sewer plant? Then on weekends Sims would rent a large pump & pump the sewer plant out on the ground The park has had water leaks all the time, some at a steady stream, so the amount of water usage in gallons would be counted very high. Ground water from the leaks in the back of the park went back into the water lines & some homes had contaminated water for a few days. The amount of water the P.S.C. estimates each home uses is wrong, because there are over 50 single people in here & in the summer over half are gone from 4-6 weeks. Sims has a laundry room in the club house, his own office trailer, the pool & all the constant leaks account for the excess of water being used. Also Sims supplies his own home with gallons of water each week from here & then leaves the outside faucet running for the weekend. All this has been going on for the 11 years we have lived here & now P.S.C. thinks Sims has changed. P.S.C & D.E.R hasn't been able to make Sims fix things before or even pay fines levied against

him. So what makes P.S.C. think he would now or keep anything fixed? P.S.C. says all this isn't Sims fault, if some of the monthy maintenance of $25.00 - 40.00 a month that each home has paid in our 11 years had been put back into repair of water, sewer, roads & general up keep, this park would be in good condition. The only money put back into this park has been for electricity to run the pumps & for the repair of club house ordered by a Judge in Kodiak City. He won't fix anything to code nor complete a job, so all his so called repair is going down hill before the job is done. Who were all the people contacted in the park by P.S.C.? The never saw outsiders or heard of any asking questions. Was it just Sims? Why as the P.S.C. rewarding Sims for letting the park get in such a rundown condition? Many of us are on a fixed income & would like our insurance etc paid for us too!! Look out the door window & see the green pile of grass to the right of swimming pool, thats a leak that has been there for years. Seem like it would be better for the county to take over our water & sewer & not let Sims reap any more money & lie about keeping things repaired.

Mr & Mrs M. W. McBride
3538 Castle

788 2340.

M E M O R A N D U M

November 4, 1991

TO : DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF LEGAL SERVICES (FEIL)

RE : DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

25296

Attached is an Order Determining Noncompliance with Prior Commission Order and Approving Temporary Rates in Event of Protest and Notice of Proposed Agency Action Order Approving Change in Rates and Rate Structure in the above-referenced docket, consisting of -14- pages, which is ready to be issued.

Protest due 11/25/91

MJF/lp
cc: Division of Water and Wastewater

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

MEMORANDUM

December 12, 1991

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

Staff Assignment/Change Advice

March 23, 1992

RECEIVED
MAR 23 1992
FPSC-RECORDS/REPORTING

TO: Case Manager

FROM: Division of Water and Wastewater (Lingo)

RE: Docket No. 900025-WS Title: Application for a staff-assisted rate case in Pasco County by SHADY OAKS UTILITIES, INC.

Please enter/delete the following staff assignments in the record of the referenced case, effective as of the above date:

OPR STAFF

	Staff to be Entered	Staff to be Deleted
Principal Staff Member	Lingo	Shafer
Others	Rieger	Landis
		Vandiver

LEGAL STAFF

Principal Staff Counsel		
Others		

OCR STAFF

Department		

cc: Commission Clerk
Nonnye Grant
Division of Water and Wastewater (Bethea, Lingo, Rieger)
Division of Research and Regulatory Review (Vandiver)

M E M O R A N D U M

April 3, 1992

RECEIVED
APR 3 1992
FPSC-RECORDS / REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF WATER AND WASTEWATER (LINGO)

RE: DOCKET NO. 900025-WS, APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Please incorporate the attached letters into the docket file.

\FJL

Attachment: Shady Oaks Owners Assn. letter to Vandiver (03/25/92)
Shady Oaks Owners Assn. letter to DWAW (03/25/92)
Sims Letter to Shafer (02/16/92)

cc: Division of Water and Wastewater (Lingo, Rieger)
Division of Research and Regulatory Review (Vandiver)
Division of Legal Services (Feil)

TO: Denise Vandiver, Regulatory Analyst
Florida Public Service Commission
Division of Water and Wastewater

FROM: Shady Oaks Owners Association

RE: Docket No. 900025-WS, staff-assisted rate case
Shady Oaks Mobile-Modular Estates, Inc. (aka S&D Utility)

STATEMENT OF CONCERN REGARDING QUALITY OF SERVICE
September, 1991 through March 25, 1992

DATE: March 25, 1992

We wish to address the following areas of concern with regard to the performance of the above-named utility in the five month period following Commission Order #25296 on November 4, 1991.

MAINTENANCE

The condition of the existing percolation pond and surrounding area gives no evidence that any maintenance has been performed in this period, nor have we observed any being done. The grass is very high and tree roots and grass grow into the water from the edges. The color of the water is a very bright green. Effluent overflow onto the surrounding areas is also evident.

We are concerned that construction of the interconnect to the county sewer line has not even been started. Commission ordered rates have been consistently paid by all of the residents of Shady Oaks since August 1, 1991 following court orders to do so.

Chlorination of the water system has been noticeably heavy on several occasions, the most recent being the past several days. It is almost undrinkable.

OPERATIONS

As we mentioned in our last report, we are concerned that the entire park is being shut down unnecessarily for work on one segment of the system. There are separate shut-off valves to various service loops in the system, and it is our feeling that installation of meters or repairs on any given section should only necessitate the shutdown of that section.

Meter installation seems to follow a very random pattern. While Block H's installation has now been completed, there have been some random meters installed for no apparent reason in other areas, one of which is on one of the vacant lots in an undeveloped area of the subdivision. Digging to find the lines has resulted in landscape being disturbed in several instances.

CUSTOMER RELATIONS

We are still concerned about hours of access to the utility's office, whether for bill paying or other inquiries. Currently the office is scheduled to be open only two (2) hours per week, and these are not consistent - they change from month to month, and sometimes during the month. This inconsistency creates a difficulty in knowing when the office will be open, which we feel creates a hardship especially for the older residents of Shady Oaks.

Our greatest concern at this time is access to the utility in the event of an emergency situation. At present the only telephone number being provided is that of Mr. Sims' home in Tampa, which can be called collect, but not if being answered by machine. If a customer wishes to leave a message on the machine he must pay a toll charge. But even this is not of prime concern; in the event of emergency we need to talk to a human being. Can the utility not provide a 24 hour service for the customers immediate needs, whether it be by hired service or by personal beeper carried by the owner or his representative?

We would appreciate your attention to our concerns. We cannot apply elsewhere for service; we would like this utility to pay attention to our concerns.

TO: Florida Public Service Commission
Division of Water and Wastewater

FROM: Shady Oaks Owners Association

RE: Water Outage at Shady Oaks, Zephyrhills
January 22, 1992

DATE: March 25, 1992

We would like to submit the following account of what occurred in Shady Oaks on January 22, 1992 (based on notes made by Dorothy Bird, community representative.)

At approximately 9:30 a.m. there was a water outage to the entire subdivision that lasted for the entire day. Mr. Sims had been seen in the park and on the utility premises shortly before the water outage occurred, but calls to his office in the park were not answered, except by answering machine. These were the first calls made, by several of the residents. When there was no response to the Shady Oaks office number (782-2686), customers then called the utility's Tampa number. (This incurs a long distance charge to the calling party, unless the call is made collect.) The collect calls were unable to be completed as the utility's phone, which is also the owner's home phone, was being answered by an automatic answering device. Several customers placed direct calls and left a message on the machine along with their name, and in most cases their telephone number. Among these were Association president Robert Lindahl, whose wife Gloria left a message with her name and number at approximately 10:20 a.m., and Dorothy Bird, who left word at the Zephyrhills number about 10 a.m. and a message at the Tampa number at 11:40. Calls were made by various customers throughout the day. A number of calls were also made to the PSC Consumer Affairs 800 number during the course of the day.

In the meantime, the clubhouse bulletin board had been checked thoroughly for notice of a shutdown; there was no notice posted. Presuming that electric service may have been cut off for some reason, a call was made to Withlacoochee River Electric Company. Their representative checked and found no problem with the electric service.

At noon, Mrs. Bird explained the situation to Neil Bethea, assistant to Greg Shafer, at the Water and Wastewater Division in Tallahassee. Mr. Bethea said he would look into it and call back. At 1:05 p.m. Mrs. Bird received a call from Hank Landis, the engineer handling Shady Oaks. Mr. Landis said he would try to locate either Mr. Sims or his certified operator to have the water restored. It was recommended that we contact the DER and the Health Department to see if any type of assistance was available.

The residents were of the opinion that the outage was probably caused by a tripped breaker and that if we could gain access to the pumphouse it would be easy to alleviate the situation. Since the pumphouse was locked, and due to the volatile nature of the situation at Shady Oaks, no one was willing to commit trespass.

At 3:53 p.m. Mr. Landis again contacted Mrs. Bird, after several unsuccessful attempts at reaching either Mr. Sims or Mike Dailey, the certified operator for Shady Oaks. Mr. Landis suggested we call the Sheriff's Department to request assistance in gaining access to the pump house. We did; Deputy Sanderson of the Sheriff's office told us they are not allowed to give authority to trespass and cannot assist or accompany anyone for that purpose.

Water was restored to Shady Oaks about 4:23 p.m. on January 22, but not by Mr. Sims or any employee or representative of the utility. A visitor to the park, who felt he was helping us out of a very inconvenient and unnecessary situation, somehow gained access to the premises and flipped a switch that restored power.

Mr. Sims did not return calls to anyone who had left their names and/or numbers on his answering machine. At approximately 7:30 p.m. a call was received by Mr. and Mrs. Clarence Kellnhofer (neither of whom had left their names) from Mr. Sims, who explained that he and his wife had been away for the day, his car broke down and he had just arrived home, and he would be out to fix the water. Mr. Kellnhofer told him the water was on. Mr. Sims did not come out to Shady Oaks.

At least one of our residents received a letter in late February from John Plescow, PSC Consumer Affairs representative, in which he stated that the PSC investigation showed that water was restored the same day, which was true although not by any efforts of the utility; and that the cause of the interruption in service was a burned out transformer and capacitor, according to information obtained from the utility. We dispute this finding, since service was able to be restored by a flip of a switch.

This water outage was a great inconvenience to all of the customers of this utility, but especially hazardous to those who have special needs due to advanced age or medical disabilities. There are several residents of Shady Oaks in their 90's and many in their 80's, and there are some who require special care for strokes and heart conditions. This situation would not have happened if proper provisions had been made by the utility to handle emergencies.

Note to Hank Landis: Re:telephone number to reach Mike Dailey - his car telephone number is 813-480-5435.

S & D UTILITY
P. O. Box 280012
Tampa, Fla. 33682-0012

February 16, 1992

RECEIVED
FEB 21 1992
Fla. Public Service Commission
Division of Water and Sewer

Mr. Greg Shafer, Bureau Chief
Division of Water & Wastewater
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, Florida 32399-0850

Dear Mr. Shafer:

Concerning your letter of 1-23-92, we were waiting for a letter from Tri-Community Council, which, as you know from our prior correspondence, we have had Nancy Bartek who represnets S & D Utility. I talked to Mrs. Bartek, and it is our understanding that we have been approved by Tri-Community for a complete analysis of our water system. Subject to her letter, we understand that this will involve the following analysis; upgrading our water system, which would include an analysis of the electrical system and pumps and water storage facilities, any leakage in any lines, replacement of any cut-off valves, and installation of water meters. Anything that we can do to cut down the cost of providing top-notch service to our consumers. When we receive this letter from her, we will forward it to you. This analysis will be conducted by Florida State University. We wish to especially bring to your attention that upon completion of this analysis this will be a 50/50 proposition. Also we are waiting for a letter of confirmation from Mr. Vora, D.E.R. Wastewater Financial Assistance, concerning the financial assistance afforded by them. He is to contact David Thulman, Chief Legal Councel, D.E.R..

Concerning your question # 1, name change was filed. Intended name of the Utility is now and has been S & D Utility, the Corporation cannot be a sole proprietorship at present. Utility name is recorded in the name of Richard D. Sims, these steps have been put on hold due to Bankruptcy proceedings. Concerning the Bankruptcy proceedings, a matter of record. The possibility of additional potential proceedings, the Utility will continue to operate under the name of S & D Utility. The name S & D Utility is recorded and the Federal Tax Number has been applied for and received, as this was recommended by your audit and we have done so.

Question # 2, it appears that since we became under your jurisdiction in 1985, the Utility is still operating under a deficit.

Question # 3, it is obvious that the fine certainly could not be placed in any type of an escrow account since the Utility is operating at a deficit monthly. We believe that you have received copies of the prior escrow account. Enclosed are the copies to bring this information up to date.

This account will be brought up to date by an addition of $100.00 a month from the General Operating account to be put in the escrow account, if possible. This has been done for February.

Question # 4, we intend to install additonal water meters the latter part of this month.

Question # 5, extremely informative deposition with the D.E.R. on 1-9-92. They were completely astounded as to why the Utility could not shut off water for non-payment. I advised them that this was the Circuit Judges' decision and that your Mr. Feil was handling this with the Circuit Court. They did ask me a particular question, what would I do when these funds are released by the customers if the Judge states I can shut off water for non-payment. I told them that the largest majority of these funds would be used to install water meters and for the expansion of the sewer plant, to hook into the Pasco County Wastewater System. I do believe that you have prior correspondence regarding this. If you have any questions concerning this please contact Mr. David Thulman, Chief Legal Counsel, D.E.R., Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Fla., 32399-2400.

Question # 6, concerning question 6, number 5 answers it. Concerning customer relations, very shortly we will have all our billing stamped "It's our privilege to serve you, have a nice day." A total amount of 8 people visited the office during the month of January. There have been several people in the Park who have been ill, and the Utility has endeavored to express its compassion.

We have made application with a Mr. Gary Sica for a large loan to take care of the necessary problems with the D.E.R. and the P.S.C. His reaction has been extremely favorable.

Very truly yours,

R. D. Sims

R. D. Sims

RDS:ss

RECEIVED
MAY 15 1992
FPSC-RECORDS / REPORTING

M E M O R A N D U M

May 13, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL) MJF

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-0356-FOF-WS

Attached is a Notice of Proposed Agency Action Order Requiring Customer Credits in the above-referenced docket consisting of - 4 - pages which is ready to be issued.

MJF/vch

cc: Division of Water and Wastewater (Bethea, Lingo, Reiger)

Division of Research and Regulatory Review (D. Vandiver)

I:\PSC\LEG\WP\900025-1.MJF

Protests due 6/4/92

M E M O R A N D U M

May 13, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL) MJF

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-0367-FOF-WS

Attached is an Order to Show Cause and Final Order Imposing Fine in the above-referenced docket consisting of - 10 - pages which is ready to be issued.

MJF/vch

cc: Division of Water and Wastewater (Bethea, Lingo, Reiger)

Division of Research and Regulatory Review (D. Vandiver)

I:\PSC\LEG\WP\900025.MJF

response due 6/3/92

RECEIVED
JUN 23 1992
FPSC-RECORDS/REPORTING

M E M O R A N D U M

June 23, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF WATER AND WASTEWATER (LINGO)

RE: DOCKET NO. 900025-WS, APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Please incorporate the attached correspondence into the docket file.

\FJL
Attachment: Sims letter to Lingo (06/14/92)

cc: Division of Water and Wastewater (Hill, Bethea, Rieger)
Division of Legal Services (Feil)

FACSIMILE TRANSMITTAL COVER SHEET

Date: 6-15-92 Time: 11:05 AM

TO: Miss Jeni Lingo
Mr. Greg Shafer, Bureau Chief
DIVISION OF WATER & SEWER

Public Service Commission Fax No. 904-487-0509
Telephone No. 904-487-2091

FROM: Richard D. Sims
c/o Office Depot Fax No. 813-979-1683
Telephone No. 813-932-3177

COMMENTS: PLEASE DELIVER IMMEDIATELY, A COPY TO EACH PERSON LISTED ABOVE.

NUMBER OF PAGES INCLUDING COVER SHEET: 2

S & D UTILITY

June 14, 1992

Miss Jeni Lingo
Division of Water and Sewer
Public Service Commission
101 E. Gaines Street
Tallahassee, Florida 32399-0864

Re: Progress Report

Dear Miss Lingo:

As of Friday, June 12, 1992, we have installed, in the Park, 185 residential meters. It is surprising to note, that several consumers were abusive to begin with and came out later on and apologized to several of the work-men. I personally felt quite gratified, since I was one of the work-men. The most constant complainer called up on the telephone and apologized. We have had no complaints from any of the consumers concerning the installation of the meters.

Now, we have questions which have been asked a few times. What is our commercial rate going to be? As we have to install five commercial meters. It in no way would affect the tariff that we have now. Also, we would appreciate your recommendations concerning the type of official notification that a utility should give concerning base rate and notification of additional charges. Concerning the customers decision to have their meter disconnected while on vacation with-out a seal, and their responsibility they assume if this service is discontinued and the neighbors borrow water from them. We would like to go ahead and make this just as simple as possible. Also we have discovered that five people were borrowing water from their neighbors. This letter will have to go in the July 1st, billing, and your clarification is most important.

Now, concerning the connection to the Pasco County Utility System. We will be meeting with the engineers Tuesday morning, and will proceed hence-forth. We would also like to request that on the consumers who are not paying the base rate, but do have a meter installed as of the 14th, they should be required to pay the one-half base rate for one-half month of June. What would our charge be for N.S.F. checks? To clarify this, what is our base facility rate, how much do we charge per 1,000 gallons of water and waste water?

Very truly yours,

R. D. Sims

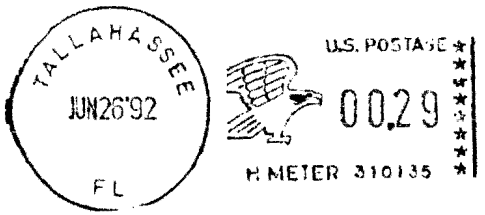
cc: Greg Shafer

Post Office Box 280012 **Tampa FL 33682**

State of Florida

Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850



Carol Cole
38437 Beniger Drive
Zephyrhills, FL 33540

COLE437 T33540304Z 1392 07/08/92
TO CARRIER
COLE
TEMPORARY ORDER EXPIRED
DELIVER AS ADDRESSED

900825

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

June 26, 1992

TO: All Interested Persons

FROM: Steve Tribble, Director of Records and Reporting

RE: Notice of Commission Conference

On the reverse side of this page is an excerpt of the Agenda for the Commission's conference, which is scheduled to begin at 9:30 a.m. on July 7, 1992 in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

PSC/RAR 34 (Rev 1/91)

Agenda for
Commission Conference
July 7, 1992

ITEM NO. CASE

16** DOCKET NO. 900025-WS - Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Docket Opened: 1/10/90

Critical Date: None

Commissioners Assigned: Full Commission
Prehrg Officer DS

Staff: WAW: Lingo, Rieger
LEG: Feil

Issue 1: Recommendation that Shady Oaks Mobile-Modular Estates, Inc.'s rate structure should be changed from its current flat rates to base facility and gallonage charge rates. The appropriate rates are the base facility and gallonage charges approved in Order No. 24084.
Issue 2: Recommendation that the revised rates should be effective for meter readings on or after 30 days from the stamped approval date on the revised tariff sheets. The utility should submit revised tariff sheets reflecting the revised rates along with a proposed customer notice listing the new rates and explaining the reasons therefor. The revised tariff sheets will not be approved until staff verifies that the tariffs are consistent with the Commission's decision, and that the customer notice is adequate.

State of Florida

Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850

TALLAHASSEE JUN 26 '92 FL

U.S. POSTAGE 00.29

H METER 310135

Richard Gasfield
38615 Monet Drive
Zephyrhills, FL 33540

900075

GASF615 3354030B7 1N 07/02/92
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida

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State of Florida

Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850

TALLAHASSEE JUN26'92 FL

U.S. POSTAGE 00.29 H METER 310135

Robert Loudaks
38546 Beniger Drive
Zephyrhills, FL 33540

LOUD546 33540308? 1N 07/02/92
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

900025

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

June 26, 1992

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FROM: Steve Tribble, Director of Records and Reporting

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Commission Conference
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Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850

TALLAHASSEE JUN26'92 FL

U.S. POSTAGE 00.29 H METER 310135

Robert Denio
3607 Castle Drive
Zephyrhills, FL 33540

DENI607 T335403047 1692 07/02/92
TO CARRIER
DENID
TEMPORARY ORDER EXPIRED
DELIVER AS ADDRESSED

900025

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida

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Division of Records and Reporting
(904) 488-8371

Public Service Commission

June 26, 1992

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PSC/RAR 34 (Rev 1/91)

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Commission Conference
July 7, 1992

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Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida

STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

MEMORANDUM

June 30, 1992

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

M E M O R A N D U M

JULY 15, 1992

RECEIVED
JUL 16 1992
FPSC-RECORDS / REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-0669-PCO-WS

Attached is an Order Establishing Procedure in the above-referenced docket consisting of - 8 - pages which is ready to be issued. 7

MJF/vch

cc: Division of Water and Wastewater (LWilson)

I:\PSC\LEG\WP\SO-OEP.MJF

RECEIVED
JUL 27 1992
FPSC-RECORDS / REPORTING

M E M O R A N D U M

July 27, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-0723-FOF-WS

Attached is an Order Converting Rate Structure to be issued in the above-referenced docket. (Consisting of - 5 - pages.)

MJF/slc
cc: Division of Water and Wastewater (Lingo, Reiger)
Division of Auditing and Financial Analysis (Bouckaert)
Division of Research and Regulatory Review (D. Vandiver)

I:900025.MJF

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

State of Florida



STEVE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

M E M O R A N D U M

JULY 28, 1992

To: All Interested Persons

From: Steve Tribble, Director of Records and Reporting

Re: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been prepared by Commission staff members and approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/tb

Attachment

PSC/RAR36(Rev 2/91)

900025-WS

8-5-92

State of Florida
Public Service Commission,

Gentlemen;
this is to inform you that Keith Dunklee is the present owner of property at 3552 Castle Dr. Zephyrhills, Fl.
Would you please send all future notices concerning "Shady Oaks" to him please

Sincerely,
Mrs Allie Mitchell

RECEIVED
AUG 14 1992
FPSC-RECORDS / REPORTING

M E M O R A N D U M

August 26, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-0880-PCO-WS

Attached is an Order Granting Informal Request for Extension of Time in the above-referenced docket, consisting of - 2 - pages, which is ready to be issued.

MJF/dr

cc: Division of Water and Wastewater (Lingo)

I:SO-RE.MJF

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

September 4, 1992

SEP - 4 1992

Mr. Richard D. Sims
Shady Oaks Mobile-Modular Estates, Inc.
P. O. Box 280012
Tampa, Florida 33682-0012

Re: Docket No. 900025-WS, Application for a Staff-Assisted Rate Case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.

Dear Mr. Sims:

I have enclosed a copy of Staff's recommendation in the above-mentioned docket. This item will be heard at the September 15, 1992 Agenda Conference. If you have questions or comments, please do not hesitate to contact me.

Sincerely,

Frances J. Lingo
Regulatory Analyst

\FJL
Enclosure

cc: Division of Water and Wastewater (Hill, Rieger)
Division of Legal Services (Feil)
Division of Records and Reporting (docket file)

RECEIVED
SEP 14 1992
FPSC-RECORDS/REPORTING

Public Service Commision
Tallahasse Fla

Re: SHADY OAKS MOBILE MODULAR ESTATES, INC.
ZEPHYRHILLS, FLA.
Docket No. 900025-WS-for staff-assisted rate case
in Pasco County

Dear Sir:

I am a resident of above Shady Oaks Estates and am interested in the outcome of all the proceedings concerning the water and wastewater problems.

Would you please include me on the mailing list of all literature and announcements pertaining to above?

Thanks

JACK L LILLEY
38504 STAFFORD DRIVE
ZEPHYRHILLS, FL 33540

M E M O R A N D U M

October 5, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL) MJF

RE: DOCKET NO. 900025-WS - APPLICATION FOR A STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.
PSC-92-1116-FOF-WS

Attached is a Notice of Proposed Agency Action Order Denying Request for Relief from Prior Commission Orders in the above referenced case, consisting of - 4 - pages, which is ready to be issued.

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo)

SO-ESCRW.MJF

October 26, 1992

Mr. Steve Tribble
Division of Records & Reporting
P.S.C.
101 E. Gaines St.
Tallahassee, Fla.

900025-WS

Dear Mr. Tribble:

I would like to go ahead and correct the correspondance I sent to you, with copies to Miss Lingo and Mr. Feil, concerning the request to discontinue the escrow account.

We would like to put these various funds to pay our regulatory assessment fee, to bring it up to date.

Enclosed at the bottom of this letter is a copy of the billing which was sent on October 20, 1992 to all delinquent customers.

Very truly yours,

R. D. Sims

R. D. Sims

CC: Miss Lingo
Mr. Feil
Mr. Reiger

10-20-92
As of 10-20-92 your water and wastewater bill is delinquent in the amount of $_____. You have 5 working days from the above date to bring your account current.

S & D UTILITY
P. O. Box 280012
Tampa, Fla. 33682-0012
Emergency # 813-932-3177

Office DEPOT

Business Services Center

900025-WS

Fax Transmission

TO: Mr. Steve Tribble, Director Division of Records & Reporting **PHONE:** 904-488-8482

FACSIMILE NUMBER: 904-487-0509

SENDER'S PHONE: 813-932-3177 **FAX:** 813-979-1683

FROM: Richard D. Sims **DATE:** 11-10-92 **# OF PAGES:** 1

If you have any difficulties with this transmission, please call the Business Services Fax Operator at: 813-972-1921

NOTES: PLEASE DELIVER IMMEDIATELY.

Forwarded
& Legal Mail

OFFICE DEPOT #54
1104 E. FOWLER AVE.
TAMPA, FL 33612
813/972-1921 Fax 813/979-1683

LOW PRICE Guarantee

M E M O R A N D U M

November 12, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is a Notice of Prehearing Conference to be issued in the above-referenced docket. (Consisting of -2- pages)

MJF/dr

cc: Division of Water and Wastewater
Court Reporters
Public Information

I:SO-PHN.MJF

OK
cp

M E M O R A N D U M

November 25, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-92-1378-PHO-WS

Attached is a Prehearing Order, to be issued in the above referenced docket. (Consisting of - 8 - pages)

mjf
Attachment
cc: Division of Water and Wastewater

I:900025.mjf

M E M O R A N D U M

NOVEMBER 25, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is a Notice of Hearing to be issued in the above-referenced docket. (Consisting of -2- pages)

MJF/dr

cc: Division of Water and Wastewater
Court Reporter
Public Information

I:SO-NOH.MJF

OK
CP

M E M O R A N D U M

DECEMBER 4, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE MODULAR ESTATES, INC.

Attached is a Notice of Cancellation of Hearing to be issued in the above-referenced docket. (Consisting of -1- page)

MJF/dr

cc: Division of Water and Wastewater
Court Reporter
Public Information

OK/CP

I:SO-ANOH.MJF

THIS NOTICE MUST BE ISSUED TODAY AS I NEED TO SEND AN ISSUED COPY TO MR. R.D. SIMS BY FEDERAL EXPRESS. WILL YOU PLEASE LET ME KNOW AS SOON AS IT IS ISSUED? I APPRECIATE IT!

Copy was given to Legal to Fed EX
12/4/92 -KF

State of Florida

Public Service Commission

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

DATE: 8 December 1992
TO: Steve Tribble, Director, Division of Records and Reporting
FROM: Joy Kelly, Chief, Bureau of Reporting
RE: Docket No. 900025-WS

IN RE: Application for Staff-assisted Rate Case in Pasco County by Shady Oaks Mobile Modular Estates, Inc.

DOCUMENT No. 14087/12-03-92 900025-WS

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file.

Please note that Staff distribution of this transcript was made to:

Legal, AFAD, WAW

The following exhibits are being filed with this transcript:

NONE

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by:

CCC/pc/kes

PSC/RAR 28 (Rev 9/91

M E M O R A N D U M

DECEMBER 21, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is a Notice of Hearing to be issued in the above-referenced docket. (Consisting of -2- pages)

MJF/dr

cc: Division of Water and Wastewater
Court Reporter
Public Information
Division of Appeals (Bellack)

I:SO-NOH.MJF

OK
cp

M E M O R A N D U M

DECEMBER 31, 1992

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL~~AT~~ for MJF

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is an Amended Notice of Hearing to be issued in the above-referenced docket. (Consisting of -2- pages)

MJF/dr

cc: Division of Water and Wastewater
Court Reporter
Public Information

I:SO-NOH.MJF

M E M O R A N D U M

January 13, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-93-0083-PCO-WS

Attached is an Order Establishing Post-Hearing Procedure to be issued in the above-referenced docket. (Consisting of -2- pages)

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)

I:SO-ORD.MJF

State of Florida

Public Service Commission

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

DATE: January 19, 1993
TO: Steve Tribble, Director, Division of Records and Reporting
FROM: Joy Kelly, Chief, Bureau of Reporting
RE: Docket No. 900025-WS Hearing/Shady Oaks Mobile-Modular 1-7-93

IN RE: Application for Staff-Assisted Rate Case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

DOCUMENT NO. 00571/1-15-93

The transcript for the above-described hearing has been completed and is forwarded for placement in the docket file.

Please note that Staff distribution of this transcript was made to:

Legal, AFAD, W&W

The following exhibits are being filed with this transcript:

Exhibits 1 thru 6

The following exhibits have not been furnished to the Bureau of Reporting to date and do not accompany this transcript:

NONE

Acknowledged by: _____

CCC/pc/dw

PSC/RAR 28 (Rev 1/93)

Shady Oaks Mobile-Modular Estates, Inc.

Docket #900025-WS
Zephyrhills, Florida
January 7, 1993

RECEIVED
JAN 22 1993
FPSC-RECORDS / REPORTING

RECEIVED
JAN 22 1993
FPSC-RECORDS / REPORTING

Name Mary Weld Phone 783-8138

Address 38449 Willoughby Dr.

Zephyrhills, Fl. 33540

If you want to let the Public Service Commission know how you feel about the utility's case, please fill out this comment form and return it by mail. It will be placed in the correspondence file of this docket.

CUSTOMER COMMENTS

I would like to go on record stating that I feel the rate which has been set for our water and sewage is excessive. We certainly don't have a first class system.in operation here in this park. Since we live here only about 6 months of the year, and I can only judge by our home (NYS) rates, I feel that the minimum charge is excessive. We get nothing for the $18.84 minimum charge, and I have never heard of this before. While home, we are aloowed 8000 gallons on our minimum charge and pay gallons after we have reached that amount.

~~Evidently Florida ruling is different.~~

Thank you for the recent hearing in our park. I felt it was a good hearing.

Mary Weld

Fold and tape -- see back for address

Shady Oaks Mobile-Modular Estates, Inc.

RECEIVED
JAN 29 1993
FPSC-RECORDS/REPORTING

Docket #900025-WS
Zephyrhills, Florida
January 7, 1993

RECEIVED
JAN 22 1993
Florida Public Service Commission
Division of Water and Wastewater

Name JOHN P. BOYCE Phone (813) 788-6700

Address 38523 BENIGER DR.

ZEPHYRHILLS, FLORIDA 33540

If you want to let the Public Service Commission know how you feel about the utility's case, please fill out this comment form and return it by mail. It will be placed in the correspondence file of this docket.

CUSTOMER COMMENTS

We and all the residents of Shady Oaks Park would like to know and understand how the P.S.C. arrived at the basic water and Sewer rates. We think it is too high--$18.84 each month for what? After the hearing on Jan. 7th, 1993 and learning about all the leaks in the lines throughout the park--we have come to the conclusion that we are paying this high basic rate because of all the leaks--and it is not a "true number". Please look into this, especially in the Waste Water Basic Rate.

In addition to the above questions, there are many things that time would not allow them be brought up--namely the Sewage Plant. As I recall this sewage plant is still in a very poor condition a nd it is frightening to think of the condiiont that we live under should this plant break down. It is my belief that the condition of this plant is a serious threat to the health of all the residents of Shady Oaks Park.

Respectfully,

Mr. & Mrs. John Boyce

Fold and tape -- see back for address

ORIGINAL
FILE COPY

M E M O R A N D U M

January 28, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Please place the attached Faxed information in the docket file for the above-referenced docket.

MJF/dr

Attachment

cc: Division of Water and Wastewater (Robbins)

I:R&R.MJF

ACK
AFA 1
APP
CAF
CMU
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EAG
LEG 1
LIN 3
OPC
RCH
SEC 1
WAS 1
OTH ~~Hendrix~~, Denise

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

RECEIVED
FEB 01 1993
FPSC-RECORDS/REPORTING

January 28, 1993

Mr. and Mrs. John P. Boyce
38523 Beniger Dr.
Zephyrhills, FL 33540

Re: Docket No. 900025-WS, Application for a Staff-Assisted Rate Case in Pasco County for Shady Oaks Mobile-Modular Estates, Inc.

Dear Mr. and Mrs. Boyce,

Thank you for your comments which were received in our office on January 22, 1993. I hope that I can answer your questions. The rate structure which the Commission has approved for Shady Oaks is the base facility charge / gallonage charge rate structure. The base facility charge, or the current $18.84 to which you refer ($6.34 for water and $12.50 for wastewater), is designed to recover the utility's "fixed" costs of providing service. Fixed costs are those costs that the utility would incur even if no water were used. General examples include depreciation expense, property taxes, and insurance expense. The gallonage charge ($1.39 for water and $2.63 for wastewater per 1,000 gallons) is designed to recover those costs that are related to the actual flows of water and wastewater. Examples include the power used to run the plants and chemicals used in treatment. Thus, any costs which are overstated due to leaks in the system would be recovered in the gallonage charge rather than the base facility charge.

However, Staff takes every precaution it can to try to insure that costs associated with high flows resulting from leaks are **not** paid by the ratepayers. One way of doing this is by comparing the flows on the master meter at the water plant to the sum of all of the customers' meter readings. If the flows at the plant are a lot higher than the sum of the customers' flows, then the Staff engineer decreases the amount of treatment expenses he recommends (power, chemicals, etc.). The problem with Shady Oaks is that, until recently, customers were not metered, so a comparison of flows could not be made. In this instance, all that the engineer could do was physically examine the system for evidence of leaks and then look at the level of treatment expenses to see if they were **reasonable** for a utility of this particular size. This is what was done for Shady Oaks. The engineer found no evidence of leakage at the time. He also found that treatment expenses were

reasonable. Because meters are now in place, the engineer will be able to do a more thorough evaluation in any future proceeding before this Commission.

Regarding the poor condition of the wastewater treatment plant, the Commission is doing everthing within its legal power to try to insure that service is not interrupted. In the original rate case Order No. 24084, issued February 8, 1991, the Commission ordered the utility to spend $1,700 per month on preventative maintenance for the water and wastewater plants. In Order No. 25296, issued November 4, 1991, the Commission ordered the utility to interconnect with the Pasco County wastewater system. When the Commission discovered that neither of these requirements had been met, it ordered the utility to "show cause" why it did not comply with the two orders. One result of the show cause order was the hearing on January 7, 1993. The Hearing Officer (Commissioner Tom Beard) will present his findings from that hearing at the March 16, 1993, agenda conference here in Tallahassee. I do not know what action he will recommend at this time.

The Commission is not the only regulatory agency that is concerned about the condition of the wastewater treatment plant. It is Staff's understanding that the Department of Environmental Regulation (DER) has also ordered the utility to interconnect with Pasco County and that a court case on this matter is currently pending. The Commission is currently supporting DER's position by ordering the interconnection. DER may ultimately have more power to force the utility to interconnect since its case is currently in circuit court whereas the Commission's case is internal. You may wish to inquire with DER as to the status of their actions.

Staff recognizes the gravity of this whole situation and we are doing everything we can to bring about a satisfactory solution to this utility's and its customers' problems. Please let us know immediately if any outages do occur. You may either contact the Division of Water and Wastewater directly at (904) 488-8482 or you may call our toll free Consumer Affairs line at (800) 342-3552. Thank you again for writing.

Sincerely,

Shelley H Robbins

Shelley H. Robbins
Regulatory Analyst

cc: Division of Water and Wastewater (Hill, Bethea, Lingo)
Division of Legal Services (Feil)
Division of Records and Reporting

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO

DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(904) 487-2740

Public Service Commission

RECEIVED
FEB 01 1993
FPSC-RECORDS/REPORTING

January 28, 1993

Mr. Richard D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Via Federal Express #4508563872

Re: Docket No. 900025-WS - Application for Staff-Assisted Rate Case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.

Dear Mr. Sims:

I write in response to your January 11, 1993, facsimile letter.

Regarding your inquiry for a "copy of the hearing," I assume you mean a copy of the hearing transcript and exhibits. Since I have an extra copy of one of the exhibits, I have enclosed the copy. This exhibit was entered into the record as Exhibit No. 6, and I am certain you are familiar with its contents. However, if you want a copy of the hearing transcript and any other exhibits, you will have to contact Mr. Tribble in the Division of Records and Reporting since dispensation of such materials falls within his authority. Note that Mr. Tribble may require that you pay $1.00 per page for copies.

The status report on the appeal is this, the 2nd District Court of Appeal (DCA) agreed with the Commission's arguments and vacated the Circuit Court's orders relative to utility rates. A copy of the 2nd DCA's opinion is attached. As I am not your attorney, I think you should consult with Mr. McAlvanah to determine how the DCA's action impacts you. His advice notwithstanding, in my view, the utility is now free to charge its

customers the Commission-approved rate for utility service which was rendered between the date Judge Tepper's injunction became effective and the date Judge Cobb set for lifting the injunction, which was, I believe, August 1, 1991.

Sincerely,

Matthew J. Feil, Esquire

MJF/dr

Attachments

cc: Division of Records and Reporting
Division of Water and Wastewater (Robbins)

M E M O R A N D U M

February 4, 1993

RECEIVED
FEB 5 1993
FPSC-RECORDS / REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Please find attached a document entitled PROPOSED RECOMMENDED FINDING OF FACT AND CONCLUSIONS OF LAW OF THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION (consisting of - 10 - pages), which needs to be filed in the above docket. Thank you.

mjf
Attachment
cc: Division of Water and Wastewater (Robbins)
Commissioner Thomas M. Beard

ACK
AFA
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WAS
OTH

Do Not Copy As Part of Docket

M E M O R A N D U M

February 10, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: COMMISSIONER THOMAS M. BEARD

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Please file the attached HEARING OFFICER'S RECOMMENDED ORDER, which consists of - 11 - pages. Thank you.

Attachment

cc: Division of Water and Wastewater (Robbins)
Division of Legal Services (Summerlin)

Shady Oaks Mobile-Modular Estates, Inc.
c/o Mr. Richard D. Sims
1315 Eckles Drive
Tampa, Florida 33612

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SEC 1
WAS _____
OTH _____

State of Florida

Public Service Commission

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

DATE: March 5, 1993
TO: All Interested Persons
FROM: Steve Tribble, Director of Records and Reporting
RE: Revised Case Assignment and Scheduling Record

Attached is a time schedule, entitled "Case Assignment and Scheduling Record" (CASR), which has been approved by the Chairman. It should be noted that this is a revision of an earlier CASR. Please review the schedule and note the dates designated by the Commission for completion of stages of work in the docket.

Any requests for changes in the schedule must be filed with the Division of Records and Reporting for consideration by the Commissioner assigned to rule on motions and procedural matters in the docket or by the Commission Chairman.

Persons receiving these schedules should be aware that the dates are subject to change and therefore should not rely on them exclusively, but should continue to look to the Commission's official notices and orders for firm dates of hearings and other activities.

ST/wds

attachment

PSC/RAR36 (Rev 1/93)

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

March 5, 1993

Ms. Barbara Arnold
38441 Willoughby Dr.
Zephyrhills, FL 33540

Re: Docket No. 900025-WS -- Shady Oaks-Modular Estates, Inc.

Dear Ms. Arnold:

The concerns that you testified to during the January 7, 1993, hearing before Commissioner Beard are presently being evaluated. Staff is in the process of compiling additional information that is needed to properly perform our investigation into this matter. You will be contacted later of our findings, and of any possible recommendations for corrective action to the Commission.

Your cooperation in this matter is appreciated. Thank you for participating in the hearing.

Sincerely,

Stanley D. Rieger

Stanley D. Rieger
Engineer

cc: Commissioner Beard
Records and Reporting
Division of Water and Wastewater (Hill)

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

MAR - 8 1993

March 5, 1993

Ms. Virginia Bremer
3655 Muller Dr.
Zephyrhills, FL 33540

Re: Docket No. 900025-WS -- Shady Oaks-Modular Estates, Inc.

Dear Ms. Bremer:

The concerns that you testified to during the January 7, 1993, hearing before Commissioner Beard are presently being evaluated. Staff is in the process of compiling additional information that is needed to properly perform our investigation into this matter. You will be contacted later of our findings, and of any possible recommendations for corrective action to the Commission.

Your cooperation in this matter is appreciated. Thank you for participating in the hearing.

Sincerely,

Stanley D. Rieger

Stanley D. Rieger
Engineer

cc: Commissioner Beard
Records and Reporting
Division of Water and Wastewater (Hill)

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

MAR - 8 1993

March 5, 1993

Ms. Marie Kellnhofer
3652 Muller Dr.
Zephyrhills, FL 33540

Re: Docket No. 900025-WS -- Shady Oaks-Modular Estates, Inc.

Dear Ms. Kellnhofer:

The concerns that you testified to during the January 7, 1993, hearing before Commissioner Beard are presently being evaluated. Staff is in the process of compiling additional information that is needed to properly perform our investigation into this matter. You will be contacted later of our findings, and of any possible recommendations for corrective action to the Commission.

Your cooperation in this matter is appreciated. Thank you for participating in the hearing.

Sincerely,

Stanley D. Rieger

Stanley D. Rieger
Engineer

cc: Commissioner Beard
Records and Reporting
Division of Water and Wastewater (Hill)

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

MAR - 8 1993
RECORDS/REPORTING

March 5, 1993

Mr. Elmer Dean
38536 Cone Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS -- Shady Oaks-Modular Estates, Inc.

Dear Mr. Dean:

The concerns that you brought out in your statement that Mr. Bird presented during the January 7, 1993, hearing before Commissioner Beard are presently being evaluated. Staff is in the process of compiling additional information that is needed to properly perform our investigation into this matter. You will be contacted later of our findings, and of any possible recommendations for corrective action to the Commission.

Your cooperation in this matter is appreciated. Thank you for participating in the hearing.

Sincerely,

Stanley D. Rieger

Stanley D. Rieger
Engineer

cc: Commissioner Beard
Records and Reporting
Division of Water and Wastewater (Hill)

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
THOMAS M. BEARD
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

MAR - 8 1993
RECORDS AND REPORTING

March 5, 1993

Mr. John Clopton
38504 Montigo Drive
Zephyrhills, FL 33540

Re: Docket No. 900025-WS -- Shady Oaks-Modular Estates, Inc.

Dear Mr. Clopton:

The concerns that you testified to during the January 7, 1993, hearing before Commissioner Beard are presently being evaluated. Staff is in the process of compiling additional information that is needed to properly perform our investigation into this matter. You will be contacted later of our findings, and of any possible recommendations for corrective action to the Commission.

Your cooperation in this matter is appreciated. Thank you for participating in the hearing.

Sincerely,

Stanley D. Rieger

Stanley D. Rieger
Engineer

cc: Commissioner Beard
Records and Reporting
Division of Water and Wastewater (Hill)

LAW OFFICES
ROSE, SUNDSTROM & BENTLEY
A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS
2548 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301

(904) 877-6555

ROBERT A. ANTISTA
CHRIS H. BENTLEY, P.A.
F. MARSHALL DETERDING
MARTIN S. FRIEDMAN, P.A.
JOHN R. JENKINS
ROBERT M. C. ROSE, P.A.
WILLIAM E. SUNDSTROM, P.A.
DIANE D. TREMOR, P.A.
JOHN L. WHARTON

JOHN R. WODRASKA
SPECIAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

MAILING ADDRESS
POST OFFICE BOX 1567
TALLAHASSEE, FLORIDA 32302-1567

TELECOPIER (904) 656-4029

March 8, 1993

RECEIVED
MAR - 9 1993
FPSC-RECORDS/REPORTING

VIA HAND DELIVERY

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

RE: Application for staff-assisted rate case in Pasco County by Shady Oaks Mobile Modular Estates, Inc.
Docket No. 900025-WS

Dear Mr. Tribble:

Please consider this correspondence as this firm's notice of appearance on behalf of Shady Oaks Mobile Modular Estates, Inc. in the above-captioned case. All future correspondence, notices, pleadings and like documents should be forwarded to this office.

Should you have any questions or concerns regarding the above, please do not hesitate to contact me.

Sincerely,

ROSE, SUNDSTROM & BENTLEY

John L. Wharton, Esq.
For The Firm

JLW/lm

M E M O R A N D U M

March 12, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL) MJF

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-93-0405-PCO-WS

Attached is an Order Establishing Procedure to be issued in the above-referenced docket. (Number of pages in Order - 8)

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)

I:SO-OEP.MJF

M E M O R A N D U M

April 9, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (SUMMERLIN)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is a Final Order Fining Utility and Ordering that Revocation Proceedings be Initiated, to be issued in the above-referenced docket. (Number of pages in Order - 12)

Please issue this Order today, Friday, April 9.

SFS/mcs

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger, Robbins)
Division of Auditing and Finance (Bouckaert)
Shady Oaks Mobile-Modular Estates, Inc.
c/o Mr. Richard D. Sims
1315 Eckles Drive
Tampa, Florida 33612

I:900025.SFS

MUST GO TODAY

RECEIVED

APR 16 1993

FPSC-RECORDS / REPORTING

900025

Use on typed line before mailing

Mail this card to all the people, businesses and publications who send you mail.
For publications, tape an old address label over name and old address sections and complete new address.

Your Name	Print or Type—Last Name, First Name, Middle Initial BRAIDWOOD, RONALD L			
Old Address	No. and Street 3758 CASTLE DR.	Apt./Suite No. —	P.O. Box —	R.D. No. —
	City and State ZEPHYRHILLS, FL	ZIP Code 33540		
New Address	No. and Street 3749 CASTLE DR.	NEW ZIP CODE 33540		
	City and State ZEPHYRHILLS, FL	JAX/ORL/TPA		
Sign Here	Signature Ronald L Braidwood	Date new address in effect NOW ~~JULY 1, 1989~~	Account No. (if any) —	

PS FORM 3576-X

RECEIVER: Be sure to record the above new address in your address book at home or office.

M E M O R A N D U M

April 19, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-93-0608-PCO-WS

Attached is an Order Revising Order No. PSC-93-0405-PCO-WS to be issued in the above-referenced docket. (Number of pages in Order - 2)

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)

I:SO-ROEP.MJF

MUST GO TODAY

M E M O R A N D U M

MAY 11 1993

May 11, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Attached is a Notice of Prehearing Conference to be issued in the above-referenced docket. (Number of pages in document - 2)

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)
Court Reporters
Public Information

I:SO-NPC.MJF

OK
cp

M E M O R A N D U M

May 20, 1993

MAY 20 1993
3:05

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-93-0777-PCO-WS

Attached is an Order Cancelling Prehearing and Hearing, to be issued in the above-referenced docket. (No. of pages in Order -4)

** THIS MUST GET ISSUED TODAY **

MJF/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)

I:SO-OCH.MJF

DATE: August 18, 1993

TO: Steve Tribble, Director of Records and Reporting

AUG 18 1993

FROM: Wilbur Stiles, Assistant to Commissioner Clark

RE: Intercepted Communications Received in Docket No. 900025-WS, Application for Staff Assisted Rate Case by Shady Oaks Mobile-Modular Estates, Inc.

This office has received the attached correspondence. The correspondence has not been viewed or considered in any way by Commissioner Clark. Under the terms of the advisory opinion from the Commission on Ethics (issued July 24, 1991 as CEO 91-31-July 19, 1991), this letter does not constitute an ex parte communication by virtue of the fact that it was not shown to the Commissioner. Because it is not deemed to be an ex parte communication, it does not require dissemination to parties pursuant to the provisions of Section 350.042, F.S. However, in such cases Commissioner Clark has requested that such correspondence be placed on the record in the correspondence side of the docket file.

cc: Martha Brown, Division of Legal Services
Joe McCormick, Division of Electric and Gas

DN 900025-WS

Shady Oaks Mobile-Modular Estates, Inc.

38616 Shady Oaks Drive
ZEPHYRHILLS, FLORIDA 33540
Telephone (813) 782-2686

August 16, 1993

Mr. J. Terry Deason, Chairman
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, Florida 32399-0864

Re: Shady Oaks Mobile-Modular Estates, Inc.
Water and Wastewater Certificate # 451-W, 401-S

Dear Chairman Deason:

On the days of August 12th and 13th, we were privileged to attend the first work-shop sponsored by P.S.C., for Class C Owners and Operators of water and wastewater utilities, that was held in Orlando.

My wife, our C.P.A. and I attended this work-shop, and let me say, this was very enlightening and informative. This first work-shop was presented in a very professional and informative manner. We wish to thank Mr. Greg Shafer and his staff, for inviting us to attend. We feel that the materials presented to us were extremely informative and professionally prepared. The speakers were very knowledge-able, and all questions asked were answered in a very professional relaxed manner. Questions that could not be answered immediately would be pursued by staff and answered after research. Now let me say, that there were very few questions that were left unanswered.

Once again, we thank the P.S.C. for holding this work-shop for us "Mom and Pop Operators". We, in our particular situation, will immediately proceed with engineering and financing to connect to the Pasco County Main Wastewater System. Once again many thanks.

Very truly yours,

R. D. Sims

FAX
cc: Susan F. Clark
Julia L. Johnson
Luis J. Lauredo
Charles Hill
Bill Lowe
Greg Shafer
Neil Bethea

HAVE A HAPPY DAY

RECEIVED
AUG 16 1993
Florida Public Service Comm.
Commissioner Clark

SCANNED

M E M O R A N D U M

September 23, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (SUMMERLIN)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

PSC-93-1396-FOF-WS

Attached is an Order Denying Motion for Reconsideration, to be issued in the above-referenced docket.

(Number of pages in Order - 4)

SFS/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)
Division of Auditing and Financial Analysis (Bouckaert)

I:900025-O.SFS

1394-920576
1358-920240

State of Florida

Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850

900025

TALLAHASSEE SEP30'93 FL

U.S. POSTAGE 00.23

H METER 107229

PRESORT FC 0509 MAILED AT 326

Bill Reilich
38441 Stafford Dr.
Zephyrhills FL 33540

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED.
FORWARDING ORDER EXPIRED

State of Florida

Public Service Commission

Fletcher Building, 101 East Gaines Street
Tallahassee, Florida 32399-0850



Bill Reilich
38441 Stafford Dr.
Zephyrhills FL [redacted]

900020

[redacted]

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
SUSAN F. CLARK
LUIS J. LAUREDO
JULIA L. JOHNSON

DIVISION OF RECORDS &
REPORTING
STEVE TRIBBLE
DIRECTOR
(904) 488-8371

Public Service Commission

October 8, 1993

TO: All Interested Persons

FROM: Steve Tribble, Director of Records and Reporting

RE: Notice of Commission Conference for October 19, 1993

On the reverse side of this page is an excerpt of the Agenda for the Commission's conference, which is scheduled to begin at 9:30 a.m. in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

PSC/RAR 34 (Rev 1/91)

ITEM NO. CASE

32**PAA DOCKET NO. 900025-WS - Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

Docket Opened: 1/10/90

Critical Date: None

Commissioners Assigned: CL JN
Prehrg Officer CL

Staff: WAW: Lingo, Rieger
LEG: Jaber

Issue 1: Recommendation that the appropriate amount of rate base is $32,663 for the water system and $30,760 for the wastewater system.
Issue 2: Recommendation that the appropriate rates are base facility and gallonage charges of $5.82 and $.97, respectively, for the water system, and corresponding charges of $5.17 and $2.35, respectively, for the wastewater system.
Alternative Recommendation: Recommendation that the appropriate rates are base facility and gallonage charges of $5.78 and $.82, respectively, for the water system, and corresponding charges of $10.76 and $.87, respectively, for the wastewater system.
Issue 3: Recommendation that the balance in the escrow account as of June 30, 1993 is $9,434, and the appropriate balance in the escrow account as of that date is $30,450. Staff lacks the information necessary to calculate the appropriate balance in the escrow account as of the date of this agenda conference. Therefore, within 30 days of the effective date of this order, the utility should provide all documents necessary to calculate the appropriate balance in the escrow account as of the date of this agenda conference.
Issue 4: Recommendation that the utility should refund to its customers the entire balance of all monies currently in the escrow account within 30 days of the effective date of this order. The total calculated underfunding of the escrow account, less the pro rata share of the escrow requirement relating to the pro forma water meters, should be refunded to the utility's customers in the form of credits on the

(Continued to next page)

ITEM NO. CASE

32**PAA DOCKET NO. 900025-WS - Application for staff-assisted rate case in Pasco County by SHADY OAKS MOBILE-MODULAR ESTATES, INC.

(Continued from previous page)

Issue 4: (Continued) - customers' bills. The refund should be paid with interest, calculated pursuant to Rule 25-30.360(4), Florida Administrative Code. The pro rata share of the escrow requirement relating to the pro forma water meters should be credited to the utility to recognize the portion of the escrow requirement relating to the pro forma water meters. The appropriate escrow requirement on a prospective basis is $0.

Issue 5: Recommendation that the appropriate length of time for the utility to refund the escrow account underfunding to its customers is 36 months. In order for staff to adequately monitor these refunds, the utility should file monthly reports with the Commission, due no later than 20 days after each monthly billing. These reports should indicate the actual consumption for each customer for the most recent period, the amount credited to each customer for the most recent period, and the resulting amount actually billed to each customer. These reports should be filed each month until the appropriate total refund associated with the escrow underfunding has been made.

Issue 6: Recommendation that, in the event a protest is filed, the current rates should remain in effect pending the resolution of the protest. The portion of the current rates in excess of the rates proposed herein should be held subject to refund, with interest, on a temporary basis, pending the resolution of the protest. If the proposed rates are approved, the portion of the current rates collected by the utility in excess of the proposed rates should be subject to the refund provisions discussed in the staff analysis portion of the memorandum dated 10/7/93.

Issue 7: Recommendation that revised rates should be effective for meter readings taken 30 days on or after the stamped approval date on the revised tariff sheets. Tariff sheets should not be approved until staff verifies that the tariff sheets are consistent with the Commission's decision, that the proper security for refund (if necessary) has been provided, and that the proposed customer notice is adequate.

Issue 8: Recommendation that this docket remain open.

M E M O R A N D U M

RECEIVED
DEC - 1 1993
11:50
FPSC-RECORDS/REPORTING

December 1, 1993

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (JABER)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

1733-FOF

Attached is Final Order Allowing Utility to Collect Current Rates in Event of Protest and Notice of Proposed Agency Action Order Reducing Rates to Reflect Removal of Proforma Plant not Constructed and Preventative Maintenance not Spent and Requiring Refund of Escrow, with attachments, to be issued in the above-referenced docket. (Number of pages in Order - 21)

*** * * SAVE * * ***

THIS ORDER MUST BE ISSUED TODAY

LAJ/dr

Attachment

cc: Division of Water and Wastewater (Lingo, Rieger)

I:900025-O.LAJ

State of Florida

Commissioners:
J. TERRY DEASON, CHAIRMAN
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

DIVISION OF RECORDS &
REPORTING
STEVE TRIBBLE
DIRECTOR
(904) 488-8371

Public Service Commission

February 23, 1994

John L. Wharton, Esquire
Rose, Sundstrom & Bentley
2548 Blairstone Pines Drive
Tallahassee, FL 32301

RE: Docket No. 900025-WS - Shady Oaks Mobile-Modular Estates, Inc. vs. Florida Public Service Commission

Dear Mr. Wharton:

I have enclosed an invoice which reflects charges for preparation of the record in the above-referenced docket on appeal. Please forward payment of the amount indicated to the Florida Public Service Commission at your earliest convenience.

Sincerely,

Kay Flynn

Kay Flynn, Chief
Bureau of Records

KF:kes

Enclosure

OFFICIAL CHANGE OF ADDRESS FOR :

SHADY OAKS HOME OWNERS ASSOC.

AUG. 4, 1994

900025-WS

OLD ADRESS WAS; P.O. BOX 1006

CRYSTAL SPRINGS, FL. 33524-1006

NEW ADDRESS IS: SHADY OAKS HOME OWNERS ASSOC.

3651 CASTLE DRIVE

ZEPHYRHILLS, FL. 33540

RECEIVED
AUG 11 1994
FPSC-RECORDS/REPORTING

Robert Lindahl
ROBERT LINDHAL, PRES.

Alvin J. LaChapelle
ALVIN J. LACHAPELLE, ACTG. TREAS.

M E M O R A N D U M

August 22, 1994

RECEIVED
AUG 22 1994
1:56 pm
FPSC-RECORDS/REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (JABER)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

1015- FOF

Attached is an Order Denying Motion for Stay, to be issued in the above-referenced docket. (Number of pages in Order - 8)

LAJ/dr

Attachment

cc: Division of Water and Wastewater (Bethea, Rieger)

I:900025-O.LAJ

900025-TS

The Waterline
c/o Suzanne Summerlin
1300 Executive Center Drive, #414
Tall. Fla 32301

~~2590 Hickory Ridge Road~~
~~Tallahassee, Florida 32308~~
~~386-6582~~

September 19, 1994

Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0870

RECEIVED
SEP 19 1994
FPSC-RECORDS/REPORTING

Dear Mrs. Bayo:

As of September 7, 1994, I requested to be listed as an "interested party" on the following dockets:

1. Docket No. 940381-WS - North Naples Utilities, Inc.
2. Docket No. 930763-SU - Homosassa Utilities, Inc./RHV Utility, Inc.
3. Dockets Nos. 900400-WU and 900217-WS- Wilderness Home Owners Association, Inc./Poinciana Utilities, Inc.
4. Docket No. 931216-WS - Orange Tree Utility Company
5. Docket No. 940254-WU - Air Base Motor Court
6. Docket No. 930758-WS - Southern States Utilities, Inc.
7. Docket No. 920649-WS - Cynwyd Investments/Tamiami Village Utility, Inc.
8. Docket No. 930826-WS - Utilities, Inc,
9. Docket No. 930912-WS - Poinciana Utilities, Inc.

I would now like to be listed as an "interested party" on all current water and wastewater dockets open as of this date. If you wish me to write a separate request listing those specific dockets, I will require a list of all current dockets in order to be able to do that. I am already subscribing to the "Summary of New Dockets" report and I will submit a new request for the new water and wastewater dockets each time I receive that report.

above + attached list
9/19

I am interested in all water and wastewater dockets, including rulemaking, declaratory statement, or other dockets handled by appeals, because I am publishing a reporter, called ***The Waterline***, on the Florida Public Service Commission's regulatory activities in regard to water and wastewater utilities. Therefore, I will need to be kept

apprised of all activities in these dockets just as any other interested party. I will also need to receive copies of the staff recommendations for these dockets when they appear on agenda. Based on my discussion with Mrs. Kay Flynn, I understand that I may subscribe to the "Agenda" and, when I receive the Agenda for a particular agenda conference, I will call your office and request copies of the specific water and wastewater staff recommendations that will be addressed at that agenda conference. I hereby request to subscribe to the "Agenda."

I would also like to request to be placed on all water and wastewater noticing lists, including the notice of rulemaking list, the notice of hearing list. and any other such list that may be created. Please let me know if there is anything I can do to make these requests more convenient for your office. Thank you very much.

9/19

Sincerely,

Suzanne F. Summerlin

Suzanne F. Summerlin

DISTRICT COURT OF APPEAL
FIRST DISTRICT
STATE OF FLORIDA
TALLAHASSEE, FLORIDA 32399-1850

JON S. WHEELER
CLERK OF THE COURT

(904) 488-6151

August 16, 1995

RECEIVED
OCT 12 1995
FPSC-RECORDS/REPORTING

Honorable Blanca Bayo,Clerk
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RE: SHADY OAKS MOBILE MODULAR ESTATES, INC. vs. FLORIDA PUBLIC SERVICE COMMISSION
Docket No. 93-3339
Case No. 900025-WS

Dear Ms. Bayo:

We are enclosing herewith original record in the above styled appeal.

Please receipt the copy of this letter and return to me.

Very truly,

Jon S. Wheeler

JSW:twg
returned 4 volumes
& 1 file folder

By Kay Flynn

Date October 12, 1995

900025-WS

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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

Public Service Commission

April 8, 1998

(faxed to 813-933-4172)

Northside Bank of Tampa
ATTN: Beverly Dail
P.O. Box 82182
Tampa, Florida 33682-2182

Dear Ms. Dail:

Pursuant to your conversation with Ms. Cissy Galloway, this is to confirm that the Commission's official mailing address has changed. Our new address is:

Florida Public Service Commission
ATTN: Blanca S. Bayó, RAR Director
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870

All statements concerning Account No. 000600193-5 should be sent to this address. Please do not hesitate to call if you have any questions concerning this matter.

Sincerely,

Kay Flynn

Kay Flynn, Chief
Bureau of Records

cc: Cissy Galloway (Docket 900025-WS)

STATE OF FLORIDA

ORIGINAL

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

RECEIVED-FPSC
98 JUL 27 PM 5:13
RECORDS AND REPORTING

July 27, 1998

Ms. Barbara L. Wilhite, Esquire
Chief Asst. County Attorney
West Pasco Government Center
7530 Little Road
New Port Richey, Florida 34654

Re: Docket No. 900025-WS - Application for staff-assisted rate case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.

Docket No. 930944-WS - Revocation by Florida Public Service Commission of Certificates Nos. 451-W and 382-S issued to Shady Oaks Mobile-Modular Estates, Inc. in Pasco County, pursuant to Section 367.111(1), F.S.

Dear Ms. Wilhite:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 23, 1998. The Commission is expected to consider this Recommendation at its August 4, 1998, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, 4075 Esplanade Way, in Tallahassee beginning at 9:30 a.m. Due to the number of items to be covered at this conference, we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6220.

Sincerely,

Lila A. Jaber, Chief
Division of Legal Services
Bureau of Water and Wastewater

LAJ/dr
cc: Division of Water and Wastewater (Bethea, Rieger, Galloway)
Division of Records and Reporting

DOCUMENT NUMBER-DATE
07901 JUL 27 98
FPSC-RECORDS/REPORTING

ACK
AFA
APP
CAF
CMU
CTR
EAG
LEG
LIN
OPC
RCH
SEC
WAS
OTH

From: Kay Flynn CONFIRMED
To: Brad Martin
Subject: fwd: 900025/930944

===NOTE==========8/17/98==9:53am==

Brad, have you received any recent returned mail for either of these dockets? Kay

Fwd=by:=Brad=Martin===8/17/98=10:02am==
Fwd to: Kay Flynn
.....
yes. If memory serves correct, only from individuals -- none of the utility or law firm addresses.

Fwd=by:=Kay=Flynn=====8/17/98=10:38am==
Fwd to: Brad Martin
.....
I have a letter dated 8/11/98 from R.D. Sims (the utility) and I notice the address on his letter is different from what we have on the parties list. However, we haven't received an address change from Mr. Sims, nor has any mail been returned--though we are dealing with a utility whose certificates were revoked in 1994. Please do the following on the parties lists, to ensure Mr. Sims receives a copy of the final order in these dockets:

1. Leave the utility address as is on both parties lists.
2. Add the following as an interested person on both lists (print my e-mail for the correspondence file):

R.D. Sims
1315 Eckles Drive
Tampa FL 33612
(tel: 932-3177)

Also, let me know if you DO get returned mail--in this case, the agenda notice we would have mailed out around 7/24--for either docket.

Additionally, continue posting returned mail on the comments screen--and deleting from the interested persons list as appropriate--and then filing in the correspondence file in all dockets. Let me know if questions. Thanks. Kay

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0870







Louise Miller
3626 Castle Dr.
Zephyrhills FL [redacted]

980025
deleted
9/8/98
mj

MILL626 3354030087 1N 17 08/22/98
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.	DOCKET NO. 900025-WS
In re: Revocation by Florida Public Service Commission of Certificates Nos. 451-W and 382-S issued to SHADY OAKS MOBILE-MODULAR ESTATES, INC. in Pasco County, pursuant to Section 367.111(1), F.S.	DOCKET NO. 930944-WS ORDER NO. PSC-98-1100-FOF-WS ISSUED: August 17, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER RELEASING ESCROW ACCOUNT, REFERRING PENALTIES AND INTEREST TO COMPTROLLER'S OFFICE FOR PERMISSION TO WRITE OFF, AND CLOSING DOCKETS

BY THE COMMISSION:

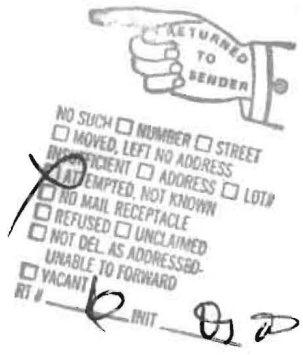
BACKGROUND

Shady Oaks Mobile-Modular Estates, Inc. (Shady Oaks or utility) is a Class C water and wastewater utility located in Pasco County. Pursuant to Order No. 15633, Certificates Nos. 451-W and 382-S were issued to Richard D. Sims on February 6, 1986. However, by Order No. PSC-94-0976-FOF-WS, issued August 11, 1994 in Docket No. 930944-WS, the Commission revoked Certificates Nos. 451-W and 382-S held by Richard D. Sims.

Certificates Nos. 451-W and 382-S were revoked after our finding that the utility: 1) lacked the technical ability to continue operating as a certificated utility; 2) had not complied

DOCUMENT NUMBER-DATE
08746 AUG 17 98
FPSC-RECORDS/REPORTING

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0870







Carrol Meeusen
3524 Castle Dr.
Zephyrhills FL [redacted]

900025

name deleted
9/8/98
MG

MEEU524 335403087 1N 17 08/22/98
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DOCUMENT NUMBER-DATE
08746 AUG 17 98
FPSC-RECORDS/REPORTING

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0870







900025

Kenneth Libby
3613 Castle Dr.
Zephyrhills FL [redacted]

name deleted
9/8/98
lg

LIBB613 335403087 1N 17 08/22/98
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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JULIA L. JOHNSON, Chairman
TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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08746 AUG 17 98
FPSC-RECORDS/REPORTING

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0870







Catherine Knapp
3667 Muller Dr.
Zephyrhills FL 33540

900025

Audited
9/8/98.
lg

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for staff-assisted rate case in Pasco County by Shady Oaks Mobile-Modular Estates, Inc.	DOCKET NO. 900025-WS
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JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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DOCUMENT NUMBER-DATE
08746 AUG 17 98
FPSC-RECORDS/REPORTING

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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

RECEIVED-FPSC
98 AUG 21 PM 4:54
RECORDS AND REPORTING

Public Service Commission

August 21, 1998

900025-WS

Mr. R. D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Dear Mr. Sims:

In response to questions concerning Escrow Account No. 000600193-5 in your letter of August 11, I am enclosing a copy of my August 21 letter to Northside Bank of Tampa, together with a copy of Order No. PSC-98-1100-FOF-WS which was issued August 17. You may wish to contact the bank to obtain copies of statements concerning the escrow account.

With regard to your request for Matthew Feil's telephone log for the year 1994, I regret that I will be unable to comply with that request. Mr. Feil left employment with this Commission in July of 1993.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

Blanca S. Bayó

Blanca S. Bayó

bsb/kf
Enclosure
cc: Lila Jaber, Division of Legal Services
Neil Bethea, Division of Water and Wastewater

R.D. SIMS
1315 ECKLES DR
TAMPA, FLA. 33612
h. 932-3177

August 11, 1998

RECEIVED
AUG 13 1998
FPSC - Records/Reporting

Mrs. Blanca S. Bayo, Director
Division of Records & Reporting
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

Dear Mrs. Bayo:

We have not received any statements of our escrow account at the Northside Bank of Tampa, account # 000600193-5, since August, 1997. We would appreciate copies. The hook-up to Pasco County Water and Wastewater System has been accomplished, we would appreciate your verifying this. We would also appreciate your releasing this money according to our jointly signed agreement.

We have previously written you several times requesting Mathew Feil's telephone log for the year 1994. This greatly concerns me, as I had called Mr. Feil numerous times requesting an extension of the hearing because at that particular date I had advised him that I had arranged an appointment with a very prominent eye surgeon concerning my possibility of having glaucoma. The pressure at that particular time was 27 and 28. My wife drove me out there immediately after the test, as my eyes were dilated. We drove into the Park, stopp ed to talk to Mr. Lindahl, the President, and he expressed to me that this meeting only lasted a very short time. Now driving through the Park, we observed some type of a red van vehicle and tried to stop them so that we could proceed with the meeting; they ignored us. W e do request Mr. Feil's telephone logs, as the young man, Mr. Feil, asked for a Doctor's permit from this famous known surgeon. Could you p lease send us his telephone logs? as I would like to clean this up at the age of going on 63, it is extremely worrisome.

Very truly yours,

R. D. Sims

cc: Neil Bethea

From: Neil Bethea
To: Cissy Galloway, Greg Shafer, Lila Jaber, Stan Rieger
Subject: fwd: Shady Oaks

===NOTE==========8/28/98=10:58am==========
BCC: Neil Bethea

Just as I predicted Sims' attorney has informed the bank that he will seek a court order preventing transfer of the escrow to the owner's assoc. He said release to the assoc. will violate the ecrow agreement as the agreement requires Dick's and Sue's signature before funds can be released. I don't know whether that's true, technically. I've never seen the agreement. The bank will seek advice from its attorney and, Lila, I gave them your name, Blanca's and mine as a contact.

Fwd=by:=Neil=Bethea===8/28/98=10:59am==========
Fwd to: Blanca Bayo, Kay Flynn

I neglected to copy you all on this.

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

September 16, 1998

RECEIVED-FPSC
98 SEP 17 PM 3:46
RECORDS AND REPORTING

Russell R. Winer, Esquire
1904 E. Busch Blvd.
Tampa, Florida 33612-8666

RE: Docket No. 900025-WS - Application for staff-assisted rate case in Pasco County rate case in Pasco County by Shady Oaks Mobile-Modular, Inc.

Docket No. 930944-WS - Revocation by Florida Public Service Commission of Certificates Nos. 451-W and 382-S issued to Shady Oaks Mobile-Modular Estates, Inc. in Pasco County, pursuant to Section 367.111(1), F.S.

Dear Mr. Winer:

Pursuant to our conversation today, please find attached the Sixth Circuit Court's Order Discharging Pasco County as Receiver and Appointing Successor Receiver.

Specifically note, that the court has ordered on page 6 part 5(b) that Shady Oaks Mobile-Modular Estates, Inc., a/k/a S&D Utility and Richard D. and Caroline Sue Sims, as named defendants in this action, are to release or turn over the escrow monies to the successor receiver which is the Shady Oaks Owner Association, Inc. We believe the court's order should be sufficient to allow the Northside Bank of Tampa to release the funds to the Shady Oaks Owners Association, Inc.

After you have reviewed the court's order, please call me at (850) 413-6185 so that we may discuss this matter further.

Sincerely,

Cleveland Ferguson, III
Staff Attorney

CF/dr

Enclosure

cc: Division of Water and Wastewater (Bethea)
Gerald A. Figurski, Esquire
Barbara L. Wilhite, Esquire

I:\SHADY.CF

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (formerly known as Department of Environmental Regulation),

Plaintiff,

v.

SHADY OAKS MOBILE MODULAR ESTATES, INC.

Defendant.

CASE NO. 87-3788CA
DIVISION: Y

PASCO COUNTY, a political subdivision of the State of Florida,

Plaintiff,

v.

SHADY OAKS MOBILE-MODULAR ESTATES, INC., a/k/a S & D UTILITY and RICHARD D. and CAROLINE SUE SIMS,

Respondents.

CASE NO. 94-4377CAE
DIVISION: B

ORDER DISCHARGING PASCO COUNTY AS RECEIVER AND APPOINTING SUCCESSOR RECEIVER

THIS CAUSE having came before the Court on December 4, 1997 and December 19, 1997 pursuant to Receiver's Recommendation Regarding and Motion to Appoint New Receiver, and the Court having considered said motions, argument of counsel, evidence presented, and being otherwise duly advised in the premises, hereby finds:

1. Defendants own a residential water and wastewater system within the jurisdictional boundaries of Pasco County, Florida,

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specifically in Zephyrhills, Florida, pursuant to the provisions of Chapter 367, Florida Statutes.

2. On or about August 4, 1994, the Florida Public Service Commission ("PSC") issued a final order revoking the water and wastewater certificate issued to Shady Oaks-Mobile Modular Estates, Inc (hereinafter "Shady Oaks"). The final order revoking those certificates has been filed herein. In its order, the PSC found that:

A. The utility has been found in contempt of Court for non-compliance with the Florida Department of Environmental Protection's Rules and Regulations.

B. The utility has not complied with the Florida Public Service Commission's prior orders.

C. The wastewater facility has not had a Florida Department of Environmental Protection operating permit since March, 1986.

D. The utility does not have certified operators as required by Chapter 17-602, Florida Administrative Code.

E. The utility's lift station and collection system does not meet Florida Department of Environmental Protection requirements with respect to location, reliability and safety.

F. The overall maintenance of the wastewater treatment system is unsatisfactory.

G. The overall quality of service of the wastewater system is unsatisfactory.

Sims

Shady Oaks has misappropriated utility funds, underfunded the escrow account established to allow the utility to collect sufficient revenues to make the necessary improvements, and neglected to pay outstanding commission fines and regulatory assessment fees.

Sims

The utility has demonstrated a willful and flagrant disregard of Chapter 367, Florida Statutes, commission rules and orders.

J. The utility lacks the technical and financial ability to continue operating as a certificated utility.

3. On or about August 23, 1994, PASCO COUNTY filed its petition to appoint a receiver to take possession and operate the water and wastewater system. By Order dated September 19, 1994, this Court appointed PASCO COUNTY as receiver for the water and wastewater system.

4. By Order dated September 18, 1997, this Court found that PASCO COUNTY has a conflict of interest and cannot continue to be the temporary receiver of the Shady Oaks water and wastewater system and ordered that PASCO COUNTY be relieved as temporary receiver. The Court ordered that PASCO COUNTY continue to operate the Shady Oaks water and wastewater system as temporary receiver until November 4, 1997 and look for a new temporary receiver. The Court further ordered that PASCO COUNTY shall not withdraw as temporary receiver until further order of this Court.

5. On November 4, 1997, this Court ordered that the September 18, 1997 Order Granting Pasco County's Motion to be

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 04

Relieved as Receiver be extended and that PASCO COUNTY continue to operate the Shady Oaks water and wastewater system as receiver until December 4, 1997, which was extended until December 19, 1997 when the Court continued the December 4, 1997 hearing on Receiver's Recommendation Regarding and Motion to Appoint New Receiver until December 19, 1997.

6. On December 4, 1997 and December 19, 1997, this Court heard Receiver's Recommendation Regarding and Motion to Appoint New Receiver.

7. The Court was further advised in the premises by counsel relative to the appointment of a new receiver for the water and wastewater system.

Based upon the foregoing, and the further evidence as to the appropriateness of the new receiver pursuant to Section 367.165(2), Florida Statutes, it is hereby

ORDERED AND ADJUDGED that:

1. PASCO COUNTY is hereby discharged effective January 1, 1998 as receiver of the Shady Oaks water and wastewater system. PASCO COUNTY is hereby released and discharged effective January 1, 1998 from all of its obligations and liabilities relating to operating and maintaining the Shady Oaks water and wastewater system imposed on it by this Court, pursuant to Florida Statutes, Section 367.165, or otherwise.

2. Shady Oaks Owner Association, Inc., whose address is 3651 Castle Drive, Zephyrhills, FL 33540, is hereby appointed effective

January 1, 1998 as the successor Receiver for the Shady Oaks water and wastewater system. The successor Receiver shall continue the lawful operation and maintenance of water and wastewater service to the customers of Shady Oaks. The term of this receivership shall begin on January 1, 1998 and shall continue until further order of this Court.

3. The successor Receiver shall effective January 1, 1998 take immediate possession and control of and operate and maintain the subject water and wastewater system, including but not limited to, all real or personal or mixed property which relates to the water and wastewater system, all assets (except PASCO COUNTY's accounts receivables as more fully set forth in paragraphs 6.C. and 9 below), files, papers, records, documents, leases, insurance policies, permits, books of account, bank accounts, keys, choses in action, and shall retain custody of such until further order of the Court.

4. The successor Receiver shall give forty-eight (48) hours advance notice, except in an emergency in which event Richard D. Sims and Carolyn Sue Sims shall receive telephone notice as soon as practicable, to Richard D. Sims and Carolyn Sue Sims of all meetings of the committee appointed by the Association to act on a day to day basis on behalf of the Association as Receiver and Richard D. Sims and Carolyn Sue Sims, or their designee, may attend and have an opportunity to comment, subject to Robert's Rules of Procedure, at such meetings. However, Richard D. Sims and Carolyn Sue Sim, or their designee, are not members of this committee and

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 06

have no voting rights, and holding of such meetings are not contingent upon availability of Richard D. Sims and Carolyn Sue Sims or their designee.

5. Shady Oaks Mobile-Modular Estates, Inc., Richard D. Sims and Caroline Sue Sims, and their current and former agents, servants, employees, representatives and attorneys ("Defendants"), shall immediately relinquish possession and control and to turn over to the successor Receiver, possession of all assets, papers, files, records, documents, monies, securities, choses of action, books of account, rents, accounts receivables, leases, permits, licenses, security deposits, servicing agreements, management agreements, or any other contracts affecting the operation of the water and wastewater system, including but not limited to:

A. All marketing materials, other documents or correspondence relating to the sale of the water or wastewater system; and

X B. All purchase offers, purchase and sales contracts and all deposits on [redacted].

Defendants, unless otherwise authorized by the successor Receiver, are hereby enjoined from making any attempts to collect the rent, revenues or profits from the water and wastewater system.

6. All property, assets (except PASCO COUNTY's accounts receivables as more fully set forth in paragraphs 6.C and 9 below), documents, and facilities of the Shady Oaks water and wastewater system shall be immediately turned over to the successor Receiver by PASCO COUNTY (the "former receiver"). The former receiver's

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 07

obligations regarding the surrender of property, assets, documents and facilities shall be as outlined herein. The former receiver shall:

A. Turn over and produce to the successor Receiver all customer account records, contracts, agreements, correspondence, legal pleadings, business records, easements, and any other documents related to the water and wastewater system.

B. Surrender control of all real and personal property to the successor Receiver.

C. The former receiver, PASCO COUNTY, shall not have to turn over accounts receivables and is entitled to collect these accounts receivables and to bill the customers of Shady Oaks for water and wastewater services pursuant to the Pasco County Code and to collect for such services through and including February 17, 1998, as more fully set forth in paragraph 9 below.

7. The Plaintiff and Defendants, and their respective employees and agents, shall have access to the above records and documents upon reasonable notice and during business hours.

8. The successor Receiver, or a person designated by it, is hereby authorized as the sole entity to collect any revenues and profits from the water and wastewater system and as persons shall make payments solely to the successor Receiver, or its designee, except as provided in paragraph 6.C. and paragraph 9.

9. In order to effectuate an efficient and expeditious transition for the successor Receiver and this Court, PASCO COUNTY, the successor Receiver, and the Defendants agree and this Court

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 08

hereby orders that PASCO COUNTY, UTILITIES SERVICES BRANCH, not as receiver, but as a political subdivision of the State of Florida, provide water and wastewater services to the customers of Shady Oaks pursuant to the Pasco County Code from January 1, 1998 until ~~February~~ March 17, 1998 and bill and collect from the customers of Shady Oaks for such services directly.

10. The successor Receiver shall preserve, protect, operate and maintain the water and wastewater system in a reasonable, prudent, diligent and efficient manner and shall dispose of the property of the Shady Oaks' water and wastewater system in a manner designed to continue the efficient and effective operation of utility service. The water and wastewater system shall be operated by the successor Receiver in such a manner so as to provide efficient, effective and environmentally sound and continuous service to the customers.

11. In order to effectively carry out its responsibilities under this Order, including its responsibility pursuant to Florida Statutes, Section 367.165, to dispose of the property of the Shady Oaks' water and wastewater system, the successor Receiver shall have full authority to exercise all powers and rights necessary and incidental to effect the protection, management, maintenance and disposition of the subject water and wastewater system. Those powers and authorities include but are not limited to:

A. To provide and maintain water and wastewater service in the designated service area in compliance with all applicable permits, regulations and statutes.

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 09

B. To make extensions, expansions, repairs, replacements, and improvements to the water and wastewater system as appropriate and necessary.

C. To collect rates, fees, charges, and deposits in accordance with all applicable state laws.

D. To market the subject water and wastewater system.

E. To negotiate and enter into purchase and sale agreements as provided herein.

F. To obtain and carry such insurance as may be necessary and advisable for the subject water and wastewater system.

G. To borrow money and to pledge or encumber the facilities, assets and revenues of the Shady Oaks water and wastewater system for the repayment thereof.

H. To enter into contracts or agreements with any public agency or private entity providing for or relating to the operation and maintenance of the water and wastewater system or the connection of the customers to any other public or private water or sewer system.

I. To enter into a contract or agreement with PASCO COUNTY for Bulk Wastewater Service.

J. To accept any gifts, grants, contributions in kind in connection with the management, operation and maintenance of the water and wastewater system.

K. To retain and pay the fees, costs, and salaries of accountants, architects, engineers, attorneys, employees,

professional consultants, or other persons or entities, as necessary or desirable in the management, operation, maintenance, or sale of the water and wastewater system and to ensure compliance with all provisions of this Order.

L. To pay from the revenues collected from the customers of the utility all necessary and reasonable operating expenses (including the costs and expenses contemplated in this paragraph 10) in a manner designed to continue the efficient, effective and environmentally sound operation of said utility.

M. To pay fees to PASCO COUNTY associated with the interconnection of the Shady Oaks wastewater system to PASCO COUNTY's system.

N. To sue or be sued, to implead or to be impleaded, to complaint and defend in any court, and to seek all legal or equitable relief in accordance with applicable state law.

O. To apply for and obtain any applicable federal, state, and local government permits, certificates, licenses, or other approvals, in order to operate and maintain the water and wastewater system.

P. To perform generally any other lawful acts necessary or desirable to carry out the express powers and authority granted and imposed herein.

12. The successor Receiver is hereby authorized and duly empowered to enter into any broker listing agreements for the sale of the water and wastewater system, to market the sale of the water and wastewater system, to negotiate contracts for the sale of the

water and wastewater system, enter into any purchase and sale agreements, and convey said water and wastewater system and all real, personal or mixed property which relates to the water and wastewater system to third party purchasers. The successor Receiver, or its designee, shall provide written notice via U.S. mail to Pasco County, Florida, (attention: Barbara L. Wilhite, Office of the Pasco County Attorney), Richard D. and Caroline Sue Sims, and the customers of Shady Oaks (hereinafter collectively "party" or "parties") of its intent to execute a purchase and sale agreement and the projected gross and net proceeds of the sale. Unless a party submits written objections to the successor Receiver, or its designee, via U.S. mail within ten (10) business days of the postmark date of the notice of intent to enter into a purchase and sale agreement, the successor Receiver shall be authorized to enter into the purchase and sale agreement and submit an order approving said sale by the Court ex parte. In the event the successor Receiver receives any objections to the sale, the successor Receiver shall seek an expedited hearing from this Court and give appropriate notice to the parties of such hearing in order to obtain approval for the sale pursuant to the proposed purchase and sale agreement. Upon the sale of any portion of the water or wastewater system, or any real, personal, or mixed property which relates to the water and wastewater system, the successor Receiver shall pay PASCO COUNTY first from the gross proceeds of such sale pursuant to this Court's November 25, 1997 order.

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 12

13. The successor Receiver shall have authority to issue Receiver's Certificates to the extent necessary to perform its duties and may do so upon prior application to and approval by the Court. The successor Receiver shall provide notice of such application to the parties set forth in paragraph 11 above and any other persons entitled to receive it. Such certificates shall bear market rate interest and shall constitute a first lien on the property subject only to the liens of Pasco County, Florida.

14. This Court shall retain jurisdiction in this cause, and to enter such further orders, or take any action that it deems appropriate.

15. Defendants shall remain liable under all applicable laws for any claims, violations, demands, penalties, suits, proceedings, actions, or fees occurring prior to the appointment and acceptance by any receiver.

16. The successor Receiver is hereby directed by this Court to maintain separate accounts and records for the management of the subject water and wastewater system. Additionally, this Court hereby directs that the revenues from the Defendants' utility are not to be considered the revenues of the successor receiver, nor are the revenues of the successor receiver to be considered those of the Defendants' utility.

17. The successor Receiver shall comply with all inventory requirements set forth in Florida Rules of Civil Procedure 1.620(b).

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 13

18. The successor Receiver shall submit to the Court quarterly financial and operational reports for the water and wastewater system and reports regarding efforts to dispose of the property of the Shady Oaks water and wastewater system as required by this Order for the duration of its receivership.

19. The successor Receiver is authorized to seek supplemental orders and directions from the Court as it determines to be necessary in order to fulfill its duties under the terms of this Order.

DONE AND ORDERED in Chambers at Dade City, Pasco County, Florida, this _____ day of December, 1997.

SIGNED AND DATED

FEB - 2 1998

WAYNE L. COBB
CIRCUIT JUDGE

WAYNE L. COBB
Circuit Court Judge

Conformed copies furnished to:

Barbara L. Wilhite, Esq.
Gerald Figurski, Esq.
David Smolker, Esq.
David K. Thulman, Esq.
Lila A. Jaber, Esq.

09/14/1998 15:51 8139443711 FIGURSKI&HARRILL PAGE 14

From: Kay Flynn Confirm receipt
To: Tim Vaccaro
Subject: 900025

===NOTE===
CC: Lila Jaber, Neil Bethea

Tim - just found out Lila is on vacation. Can you answer this? Kay

P.S. I'm also cc'ing Neil at this time; forgot to do so yesterday.

Lila, you may recall we had a request from Mr. R. D. Sims in August asking us to release the escrowed money and also asking for Matthew Feil's "telephone log for the year 1994." We wrote back that we would be unable to comply with the log request--that Matt had left the Commission in July of 1993.

We now have a request from Mr. Sims stating:

"Your letter of August 21, 1998 does not correspond with our previous correspondence concerning Mathew Feil's telephone log prior to the fine that was imposed upon Shady Oaks Mobile Modular Estates Inc. by your Mr. Beard. We would like a copy of Mr. Feil's telephone log six months before that fine was imposed because we would like to have it correspond with our log to alleviate any type of a potential problem."

(1) Is he referring to Order 93-0542 or to a recommended order issued 2/11/93 by Comm. Beard? and (2) Bottom line, we cannot supply a "telephone log" of Matt's telephone calls--do we simply tell him that?

Kay

From: Kay Flynn
To: Steve Wharton
Subject: fwd: telephone log

===NOTE==========10/23/98==1:48pm==========

Steve, we have received a request for "a copy of Mr. Feil's telephone log *six months before that fine was imposed because we would like to have it correspond with our log to alleviate any type of a potential problem."

*The time period is early 1993. Is there any way we can supply such information--is there a "log"? Kay

Fwd=by:=Steve=Wharton=10/26/98==9:25am==========
Fwd to: Mike Staden
CC: Kay Flynn

Mike,

Please discuss this with Kay and inform her of the options. Thanks.

Fwd=by:=Kay=Flynn=====10/26/98=10:31am==========
Fwd to: Mike Staden

Mike, please e-mail your reply on this as soon as possible so I can respond to Mr. Sims' request. I also need to let Legal and WAW know. Thanks. Kay

Fwd=by:=Mike=Staden===10/26/98==9:34am==========
Fwd to: Kay Flynn

What type of records are you looking for?

Suncom records??

Fwd=by:=Kay=Flynn=====10/26/98=10:35am==========
Fwd to: Mike Staden

He wasn't that specific in his request, so we would have to go for ANY type of telephone records for that period.

Fwd=by:=Mike=Staden===10/26/98==9:40am==========
Fwd to: Kay Flynn

We could only get Suncom records, because DMS doesn't keep records of non-suncom calls.

Fwd=by:=Kay=Flynn=====10/26/98=10:42am==========
Fwd to: Mike Staden

Okay. How long would it take to get Suncom records? and can we pinpoint Suncom calls that Matt Feil made in that time period?

Fwd=by:=Mike=Staden===10/26/98==9:46am==========
Fwd to: Kay Flynn

I need to know what was his telephone number was while he was an employee. And also, I need to know which months to have them pull (Jan-Mar, Jan-Jun?)

Thanks.

Fwd=by:=Kay=Flynn=====10/26/98=10:48am==========
Fwd to: Mike Staden

That's when we were in the Fletcher Building, so his number would have been the main number for Legal (which makes me wonder if we can actually isolate his calls). And we would be talking about 10/92 through 3/93.

Fwd=by:=Mike=Staden===10/26/98==9:53am==========
Fwd to: Kay Flynn

I do not think we can isolate them because we were part of a Key System at that time and not on Centrex. Looking back at an old Key System sheet for

Legal, they had 11 lines.

Fwd=by:=Kay=Flynn=====10/26/98=10:57am==========
Fwd to: Mike Staden
.....
What if we knew what number was called (if Mr. Sims is expecting to see some calls made to his home or office phone, for instance). Could we isolate those?

Fwd=by:=Mike=Staden===10/26/98=10:08am==========
Fwd to: Kay Flynn
CC: Steve Wharton
.....
I left a message with Betsy Wonsch. She is over Suncom billing. She is not in the office today, but her voice-mail says that she will forward the message to the appropriate person when she checks in.

If you give me the number called (home and office number), I can check with them to see if they can do this. There might be a possibility that we cannot get these records.

Fwd=by:=Kay=Flynn=====10/26/98=11:11am==========
Fwd to: Mike Staden
.....
Right....and I'm a bit hesitant to call and ask him if he is interested in calls made to a certain number. Can you find out first if the Suncom calls CAN be sorted out by number? I'll wait till you hear back from Betsy or someone in her place about that question.

Fwd=by:=Mike=Staden===10/26/98=10:14am==========
Fwd to: Kay Flynn
.....
They can be sorted by number. We've done that before. My only concern is the time frame that we are dealing with.

Fwd=by:=Kay=Flynn=====10/26/98=11:25am==========
Fwd to: Mike Staden
.....
Okay. E-mail me back when you find out if we can go back to that time, then I'll see if we want to try to isolate numbers called.

Fwd=by:=Mike=Staden===10/26/98=11:02am==========
Fwd to: Kay Flynn
.....
Just talked to Betsy. She's having someone from her office pull the records for the Legal Division for the time frame you requested. She said that it would take a couple of days, but she will call me when it's ready.

Fwd=by:=Kay=Flynn==========
Fwd to: Mike Staden
.....
Okay. I'll wait to hear back from you.

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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

Public Service Commission

November 6, 1998

Mr. R. D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Dear Mr. Sims:

In response to the request in your letter of October 17 for a copy of Mr. Feil's telephone log, I must advise that the Commission does not maintain telephone logs. I have learned, however, that records of long distance calls made via the State of Florida's Suncom lines are kept by the Department of Management Services. You may wish to contact Betsy Wonsch at (850) 922-7526 concerning your request.

Please do not hesitate to call if I can be of further assistance.

Sincerely,

Blanca S. Bayó

Blanca S. Bayó

bsb/kf
cc: Lila Jaber, Division of Legal Services
Neil Bethea, Division of Water and Wastewater
900025-WS docket file

MEMORANDUM

TO
Mrs. Blanca Bayo, Director
Division of Records & Reporting
P.S.C.
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0870

FROM
R.D. SIMS
1315 ECKLES DR.
TAMPA, FLA. 33612
Ph: 932-3177

DATE
10-17-98

SUBJECT
(900025-WS)

MESSAGE

Dear Mrs. Bayo:

Your letter of August 21, 1998 does not correspond with our previous correspondance concerning Mathew Feil's telephone log prior to the fine that was imposed upon Shady Oaks Mobile Modular Estates Inc. by your Mr. Beard. We would like a copy of Mr. Feil's telephone log six months before that fine was imposed because we would like to have it correspond with our log to alleviate any type of a potential problem.

Very truly yours,

R D Sims

R. D. Sims

RECEIVED
OCT 21 1998
FPSC - Records/Reporting

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams
9042
Memorandum

RECEIVED-FPSC

98 AUG 17 PM 3:11

RECORDS AND REPORTING

M E M O R A N D U M

August 17, 1998

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (JABER)

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF-ASSISTED RATE CASE IN PASCO COUNTY BY SHADY OAKS MOBILE-MODULAR ESTATES, INC.

DOCKET NO. 930944-WS - REVOCATION BY FLORIDA PUBLIC SERVICE COMMISSION OF CERTIFICATES NOS. 451-W AND 382-S ISSUED TO SHADY OAKS MOBILE-MODULAR ESTATES, INC. IN PASCO COUNTY, PURSUANT TO SECTION 367.111(1), F.S.

98-1100-FOF

Attached is an ORDER RELEASING ESCROW ACCOUNT, REFERRING PENALTIES AND INTEREST TO COMPTROLLER'S OFFICE FOR PERMISSION TO WRITE OFF, AND CLOSING DOCKET, to be issued in the above-referenced docket.

(Number of pages in order - 9)

*** * * THIS MUST BE ISSUED TODAY * * ***

MUST GO TODAY

mailed 36/

LAJ/dr

Attachment

cc: Division of Water and Wastewater
(Bethea, Rieger, Galloway)

I:\900025OR.LAJ

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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

Public Service Commission

November 17, 1998

Mr. R. D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Dear Mr. Sims:

In response to your letter of Nover r 11, Betsy Wonsch's address is:

Betsy Wonsch
Department of Management Services
Information Technology Program
4030 Esplanade Way
Room 280T
Tallahassee, Florida 32399-0950

Please do not hesitate to call if I can be of further assistance.

Sincerely,

Blanca S. Bayó

bsb/kf
cc: Lila Jaber, Division of Legal Services
Neil Bethea, Division of Water and Wastewater
900025-WS docket file

MEMORANDUM

TO
Mrs. Blanca S. Bayo, Director
Division of Records & Reporting
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

FROM
R. D. SIMS
1315 ECKLES DR.
TAMPA, FLA. 33612
Ph. 932-3177

DATE
11-11-98

SUBJECT

MESSAGE

Dear Mrs. Bayo:

In your latest letter of us 11-6-98 you suggested we contact Betsy Wonsch regarding telephone logs for Matthew Feil, would you be so kind as to send us her address so that we can contact her. Thank you.

Very truly yours,

R. D. Sims

RECEIVED-FPSC
98 NOV 16 AM 10:57
RECORDS AND REPORTING

MAIL ROOM
98 NOV -6 AM 9:46

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams 9042

Memorandum

MEMORANDUM

TO Mrs. Blanca S. Bayo, Director

Division of Records & Reporting
Public Service Commisson
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

FROM R.D. SIMS
1315 ECKLES DR.
TAMPA, FLA. 33612
Ph. 932-3177

DATE 1-26-99

SUBJECT Shady Oaks Mobile Modular Estates

MESSAGE

Dear Mrs. Bayo:

In the year of 1991 We went through an audit with the P.S.C., Docket #900025-WS It showed that there was an indebtedness in the amount of $172,542.00, long term debt outstanding. This audit was performed by Jocelyn Stephens, and was quite extensive.

We would like to have copies of all the notes and checks that were photostated by Mrs. Stephens, to arrive at this figure. Please advise us of the cost and time element that this could be done. Many thanks for your co-operation.

Very truly yours,

R. D. Sims

RECEIVED
JAN 29 1999
FPSC - Records/Reporting

ACK AFA APP CAF CMU CTR EAG LEG LIN OPC RCH SEC WAS OTH

Completed 2/3/99 - see attached e-mail

PLEASE REPLY BY _____ NO REPLY NECESSARY _____

Adams 9042

Memorandum

From: Bobbie Reyes
To:
Bill Lowe, Bill Talbott, Blanca Bayo, Chuck Hill, Cissy Galloway, Denise Vandiver, Greg Shafer, James Ward, John Williams, Kay Flynn, Lila Jaber, Mary Bane, Neil Bethea, Noreen Davis, Rob Vandiver, Stan Rieger, Steve Tribble, Tim Devlin
Subject: Public Records Request in Docket No. 900025-WS

===NOTE==========2/04/99==8:55am==========

This is to inform you that we have gathered the information requested by Mr. R.D. Sims in his public records request regarding the above-referenced docket on February 3, 1999 and are awaiting his payment to records.
