

State of Florida

Commissioners:
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JULIA L. JOHNSON



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

June 25, 1993

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Mr. John Wharton
Rose, Sundstrom and Bentley
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Re: Turkey Creek Utilities

Dear Mr. Wharton:

This letter concerns the attached bill for fire protection service which was provided by the Turkey Creek Master Owners Association (TCMOA). We believe the amounts charged for 1992 service and for the first six months of 1993 are consistent with the charges the utility claims should be approved under grandfather rights. As you know, this is an issue to be discussed at the Commission hearing in November. However, we request further information regarding the remaining charges. Specifically, we request the following:

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1. A detailed breakdown of the costs included in the \$1470.56 charge, including the late fee, attorney's fees, court costs and interest.
2. Provide an explanation of how the late fee was determined, including the number of months the late fee was charged and the amount of the late fee each month.
3. Why is the utility charging for attorney's fees and court costs? What do the court costs include? To our knowledge, the utility is not involved in any litigation regarding the fire hydrant charge. Is this incorrect?
4. To what charge does the interest apply and how was the interest calculated? Has Mr. Hope charged interest on late bills in the past?

At the Agenda Conference on May 4, 1993, the Commission gave the utility explicit instructions not to discontinue service if the TCMOA does not pay the bill for public fire protection. However, the utility states at the bottom of the attached bill "If you want to discontinue this service, please notify us by 6/30/93." If the TCMOA does not notify the utility, will the utility discontinue service on its own initiative? This letter is to inform the

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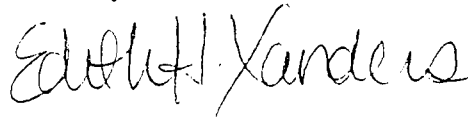
Mr. John Wharton
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utility that under no circumstances should the utility discontinue public fire protection service to the residents of Turkey Creek while these issues are pending.

As you are aware, we have filed a recommendation with the Commission in which we are recommending that certain charges be placed subject to refund, including the fire hydrant charge. Once this protection is approved by the Commission, if the TCMOA pays the charge for 1992 and the first six months of 1993 and the Commission ultimately decides the charge is not appropriate, the payment must be refunded, including accrued interest. If the TCMOA does not pay the bill and the charge is ultimately approved by the Commission, the TCMOA will be responsible for the bill plus any approved late payment fee.

Please respond to the above by July 9, 1993. If you have any questions, please feel free to contact me.

Sincerely,



Edith H. Xanders
Regulatory Analyst

EHX

cc: Charles H. Hill
Division of Legal Services (Bedell)
Division of Records and Reporting
Honorable George Kirkpatrick
Mr. Norwood Hope
Mr. Jim Cherry
Steve Reilly, Office of Public Counsel

Enclosure

TO: EDIE Xanders - Waw
904-487-0509

CHERRY COMM CO.

TURKEY CREEK UTILITIES
KEEP THIS HALF FOR YOUR RECORDS

	AMOUNT	CODE
6/16/93		
Fire Hydrant Service Fee - 1/1/93-6/30/93	919.08	
Previous Balance	1,838.16	
Accumulated late fees	1,470.56	
Plus attorney's fees court costs and interest. If you want to discontinue this service, please notify us by 6/30/93.		
Payment due: 7/15/93		

TURKEY CREEK UTILITIES
158 Turkey Creek
Alachua, FL 32815-0513



Turkey Creek Master Owners Assn.
Suite 30
P. O. Box 147050
Gainesville, FL 32614-7050

RETURN THIS HALF WITH PAYMENT

\$3,308.72	\$ 919.08	\$4,227.80	\$3,308.72	\$ 919.08	\$ 4,227.80
AMOUNT PAST DUE	CURRENT BILLING	TOTAL	AMOUNT PAST DUE	CURRENT BILLING	TOTAL

BILLING DATE 6/16/93	ACCOUNT NO.	BILLING DATE 6/16/93	ACCOUNT NO.
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