

November 2, 1996

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

Subject: Point Water and Sewer, Inc.  
Application for original certificate

961321-WS

Dear Sir,

Please accept this letter as objection to the Point Water and Sewer, Inc. being granted approval to operate a water and wastewater utility at the Point. (See attached.)

Our basis for this objection is the following:

1. The recent incident regarding Mr. John Yonge's letter notifying the home owners that he was shutting down water/sewer to our facilities was against state regulations. This obviously documents his "inability" to follow rules and regulations. In order to ensure he understood the state regulations we had to file an injunction.
2. Failure by the Point Water and Sewer to comply with multiple requests to submit an application for permission to operate as a water and wastewater utility. This again reflects no respect or understanding for the necessity to follow rules and regulations.
3. Individuals who operate public utilities should be skilled managers and communicators. Mr. John Yonge has at no time attempted to meet with representatives from the point (prior to our filing of the injunction) to discuss our concerns regarding the operation of the plant, fees, etc. He immediatly filed a law suit against the Point Property Owners Association after assuming role as president of the Point Water and Sewer, Inc. Communications is critical to providing adequate services. I am sure you recognize this value since your organization as done an excellent job "listening" and "communicating" to both parties.

4. The plant has been described by maintenance workers and personally viewed by owners as in poor condition. Please consider a trip to this facility and witness yourself the following: (1) Only one fan is operational and has been for over a year. There are two fans and they should be alternating on and off and this is not occurring. The one fan is working 24 hours a day if this fan burns-out it could be weeks before it is replaced or possibly never replaced. (2) The water that is treated and dumped into the St. Johns River travels a lengthy PVC pipe. This pipe is currently 1/3 under the water line. The possible impact of this problem is that St. Johns River water back-flows into the treatment plant, or it is interfering with the treated water that is flowing from the plant to the river. I am sure your staff will identify many more problems during an evaluation of this facility.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMH \_\_\_\_\_  
 CTH \_\_\_\_\_  
 EAV \_\_\_\_\_  
 LEO 1 \_\_\_\_\_  
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 WAS 1 \_\_\_\_\_  
 OTH \_\_\_\_\_


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4. It is my understanding as a Point Property Owners Board Member that the application for permission to operate this plant will request permission to charge fees way in excess of the average water/sewer fees other families pay in the clay county area. If this is the case, I would hope that you would rule in favor of the home owners and recommend that authority be granted instead to the Clay County Water Sewer Authority. This group can provide water and sewer to our homes at a cost similar to the other 200,000 home owners in this county. This company can also provide services and protect the safety and health of all owners. This company has an excellent record of communicating with the individuals they serve. This company can provide water/sewer and not endanger the environment.

5. Water and sewer is critical to our health. It is also critical to protecting our environment. The Point Water and Sewer, Inc. treatment plant is a "Dinosaur." Plants like this one have killed children. Plants like this are always destroying our habitat and/our environment . Directly across the street is the Clay County Water Sewer Authority which is an excellent water/waste system that would better serve the homeowners, and environment.

Your organization was not established to help small businesses make money. It was not established to keep "Dinosaur's" alive. It was established to protect the rights of the users of water/sewer; to ensure that water and wastewater is distributed to homeowners at a reasonable and fair cost, and to ensure that authorization is not given to water/wastewater treatment plants that endanger our environment . I hope strong considerations will be given to these issues as you review this application.

Sincerely,

  
Lynda M. Lewis  
316 Scenic Point Lane  
Orange Park, Florida 32973  
904-264-8986

owner



Delores M. Ellison  
316 Scenic Point Lane  
Orange Park, Florida 32073  
904-264-8986

owner

cc: Mr. John Yonge, President  
Point Water and Sewer, Inc.  
4753 Raggedy Point Road  
Orange Park, Florida 32073

Mr. J. Michael Lindell  
Hayes & Lindell, P.A.  
Suite 620, Blackstone Building  
233 East Bay Street  
Jacksonville, Florida 32202

Mr. Steve Glenn, President, PPOA

EXHIBIT I-1

APPLICATION FOR ORIGINAL CERTIFICATE  
(FOR UTILITY IN EXISTENCE AND CHARGING RATES)  
SECTION 367.045, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on 10/25/96, pursuant to Section 367.045, Florida Statutes, of the application of Point Water and Sewer, Inc. to operate a water and wastewater utility to provide service to the following described territory in Clay County, Florida as follows:

The Point Property Owner's Assn. (including 19 developed townhomes) located on Scenic Point Drive in Clay County, Florida and the adjoining property located at 3027 Hwy 17, Orange Park, Fla 32073 (Whitney's Marina). Both of these properties are located directly off of US 17 on the southeast side of the Doctors Inlet Bridge with the St Johns River on the western boundary.

Any objections to the said application must be made in writing within (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Sumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

POINT WATER AND SEWER, INC.  
4753 RAGGEDY POINT ROAD  
ORANGE PARK, FLORIDA 32073

POINT WATER AND SEWER, INC.

By:   
JOHN YONGE, PRESIDENT