

State of Florida



Public Service Commission

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

DATE: November 13, 1996
TO: Division of Records and Reporting
FROM: Eric Groom, Division of Water and Wastewater *EG*
RE: Docket No. 961034-WS

Please place the following nine letters in Docket No. 961034-WS - Betmar Utilities.
Thank You.

attachments

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPR _____
- RCN _____
- SEC 1
- WAS _____
- WTA _____

DOCUMENT NUMBER-DATE
 12073 NOV 13 96
 FPSC-RECORDS/REPORTING

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

September 13, 1996

Joseph L. Turco
Betmar Utilities, Inc.
6635 Hickory Wood Lane
Port Richey, FL 34653

Re: Investigation into possible refunds related to backflow prevention device installations.

Dear Mr. Turco:

Thank you for providing the customer backflow prevention device information as requested in my August 19, 1996, letter to you. In review of those who have paid for the devices, we have determined that seven would be considered as low risk connections. They should be granted a refund as indicated in Order No. PSC-96-0656-FOF-WS, issued on May 10, 1996. Those seven customers are Burleigh of 36621 Dina, Heim of 36718 Dina, and the five new customers that have connected since December of 1995. They each paid \$150 for a device. It appears that these customers have normal residential connections which do not present a substantial health threat. This includes the Heim's connection who has severed the tie to an irrigation system and has removed the possible health risk.

Please respond in writing within ten days of the date of this letter as to how you plan to refund these customers.

Sincerely,

A handwritten signature in dark ink that reads "Stanley D. Rieger".

Stanley D. Rieger
Utility Systems/Comm Engineer

cc: Division of Legal Services (Jaber)
Division of Water and Wastewater (Hill, Bethea, Rendell, Groom)
Lewis Hughes

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

September 13, 1996

Mr. Lewis E. Hughes
P.O. Box 395
Belle Center, OH 43310

Re: Betmar Utilities - Installation of Backflow Prevention Devices

Dear Mr. Hughes:

In your August 28, 1996, letter to Lila Jaber, you expressed concern that staff has not taken any action against the utility for not refunding the customers payment of backflow prevention devices. As you have since been in contact with Eric Groom, you now know that staff has been in the process of collecting and analyzing data requested from the utility. A docket regarding the backflow prevention devices has been opened, with staff's recommendation to be considered at the October 29, 1996, agenda conference.

Attached is a schedule of those customers who have paid for the devices since November of 1996. It includes existing and new customers. Of the existing customers, staff believes that Heim and Burleigh should get a refund. Heim should get a refund because the irrigation system has been severed, resulting in the elimination of a possible health hazard, and Burleigh, because he is considered to be a normal residential connection. Since the new customers are considered to be normal residential connections, staff believes that Ruess, Sheely, Southcott, Paine, and Nicholson should also get a refund. However, these matters will be decided in the aforementioned docket.

If you have any additional questions or comments please contact me at (904) 413-6970.

Sincerely,


Stanley D. Rieger
Utility Systems/Comm Engineer

Attachment

cc: Division of Legal Services (Jaber)
Division of Water and Wastewater (Hill, Bethea, Rendell, Groom)
Joseph Turco, Betmar Utilities

BETMAR UTILITIES, INC.
POST OFFICE BOX 370
PORT RICHEY, FL 34673-0370
TELEPHONE: (813) 845-3600
FAX: (813) 845-1839

September 23, 1996

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

ATTN: Stan Rieger

RE: Your letter of September 13, 1996.
Investigation into refunds

Dear Mr. Rieger:

We are ready to give the two customers, Heim and Burleigh, the credit on their account of the \$150.00 each.

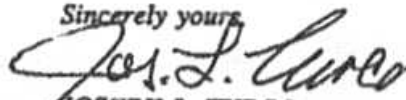
How are we to handle the cross-connection problem that will arise? It was said in your last Order stating the utility caused the cross-connection by doing the PSC rediscovery. Once we eliminate this device, there will be a straight path directly into the water main, with no protection whatsoever. If we are not to put any device in place of the one to be removed, I want the Commission to state so, that no device is required whatsoever on low hazard connections.

As you stated in your letter, Mrs. Heim did disconnect the lines by severing them. This situation can very easily be reversed by Mrs. Heims at any time. The pipes and sprinkler heads should be removed 100%

I would like to have some Commission authority advising us as to how we should remove these devices, and any other devices, and not create a cross-connection.

If you should have any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely yours,


JOSEPH L. TURCO
UTILITY MANAGER

cc: Gerald Buhr, Esq.

09/23/1996

Commissioners:

SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

September 30, 1996

Joseph L. Turco
Betmar Utilities, Inc.
6635 Hickory Wood Lane
Port Richey, FL 34653

RE: Investigation into possible refunds related to backflow prevention device installations.

Thank you for your response to our letter dated September 13, 1996. However, there was no mention of the five remaining customers that should also be granted a refund as indicated in Order No. PSC-96-0656-FOF-WS, issued on May 10, 1996. Those five new customers that have connected since December of 1995, have all paid \$150 for a device. It appears that these customers have normal residential connections which do not present a substantial health threat. If the five remaining customers are not given a refund by October 11, 1996, staff will immediately initiate a show cause proceeding against Betmar Utilities, Inc.

Please provide verification by October 11, 1996, that all refunds have been made.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric M. Groom".

Eric Groom
Regulatory Analyst

c: Division of Legal Services (Jaber)
Division of Water and Wastewater (Hill, Willis, Rendell, Bethea, Rieger)
Lewis Hughes

Commissioners:
SUSAN F. CLARK, CHAIR
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

October 7, 1996

Joseph L. Turco
Betmar Utilities, Inc.
6635 Hickory Wood Lane
Port Richey, FL 34653

Re: Investigation into possible refunds related to backflow prevention device installations.

Dear Mr. Turco:

In your September 23, 1996 letter, you requested a statement from the Commission indicating that no device is required on "lowhazard" connections. I believe that Order No. PSC-96-0656-FOF-WS, issued on May 10, 1996, has properly addressed that situation. That order indicates that in "lowhazard" situations, backflow prevention devices are not required. This is consistent with the DEP and HRS positions that were detailed in the above mentioned order.

Concerning the Heim connection, we believe that it is unnecessary to require 100% of the irrigation system to be removed. Since this is a physical separation from the house plumbing, a refund is still warranted. Also, in reference to your health risk concerns over the removal of the devices, we have no position at this time since you were not ordered by the Commission to do so.

Our main concern at this time is that the refunds are made. Please proceed with the credit process. If you have any other questions please contact me.

Sincerely,

Handwritten signature of Stanley D. Rieger in black ink.

Stanley D. Rieger
Utility Systems/Comm Engineer

cc: Division of Legal Services (Jaber)
Division of Water and Wastewater (Hill, Bethea, Rendell, Groom)
Lewis Hughes

State of Florida

Eric Groom

Commissioners:

SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

October 21, 1996

Mr. Lewis E. Hughes
P. O. Box 395
Belle Center, OH 43310

Re: Betmar Utilities - Installation of Backflow Prevention Devices

Dear Mr. Hughes:

By letter dated October 10, 1996, Betmar Utilities has agreed to refund the monies collected for the installation of the backflow prevention devices. A refund will be credited in the October bill to the following customers: Heim, Burleigh, Sheeley, Southcott, Paine, Nicholson, and Parsons.

Please be advised that if a refund is not credited to the October bill, staff will immediately file a recommendation to initiate a show cause proceeding against Betmar Utilities.

Sincerely,

Eric Groom
Charles Hill

Eric Groom
Regulatory Analyst

Attachment

cc: Betmar Utilities (Mr. Turco)
Division of Water & Wastewater (Hill, Willis, Rendell, Rieger)
Division of Legal Services (Jaber)

BETMAR UTILITIES, INC.
POST OFFICE BOX 370
PORT RICHEY, FL 34673-0370
TELEPHONE: (813) 845-3600
FAX: (813) 845-1839

October 10, 1996

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

VIA FAX

ATTN: Eric Groom

RE: Reimbursement to Customers for Backflow Device

Dear Mr. Groom:

As per our telephone conversation on today's date, I am herewith advising the commission that Betmar Utilities will in their October billing, under protest and duress, be reimbursing the two customers (Acct. No. 6640, Heim, and Acct. No. 6192, Burtleigh), who received a what you called "threat letter", and the five customers (Acct. No. 8055, Sheeley; Acct. No. 6855, Southcott; Acct. No. 5094, Paine; Acct. No. 5670, Nicholson; and Acct. No. 7510, Parsons), who paid under our "Service Availability in Betmar Utilities' Tariff pages.

In our conversation you said that the Utility must make the refund as well as remove the Double Check Valve Assemblies.

You do know that by removing these devices you will be putting this Utility in harms way with a direct cross-connection. As I said, Mr. Peppie Mendez from the HRS has told me so many words, "the residential customer's could owe a utility a \$1,000 or more for past due billings and the utility cannot turn the customers' water off, because he feels it would be a health hazard." Mr. Mendez is very liberal minded in some areas, but not totally when it comes to cross-connection.

If you should have any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely yours,


JOSEPH L. TURCO
UTILITY MANAGER

State of Florida

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

November 5, 1996

Joseph L. Turco
Betmar Utilities, Inc.
P.O. Box 370
Port Richey, FL 34673

RE: Betmar Utilities - Installation of Backflow Prevention Devices
Docket No. 961034-WS

Dear Mr. Turco:

By letter dated October 10, 1996, Betmar Utilities has agreed to refund the monies collected for the installation of the backflow prevention devices. As your letter indicates, a refund will be credited in the October bill to the following customers: Heim, Burleigh, Sheeley, Southcott, Paine, Nicholson, and Parsons.

Please be advised that if a refund is not credited to the October bill, staff will immediately file a recommendation to initiate a show cause proceeding against Betmar Utilities. Therefore, please provide written proof (ie. copy of the October bills) to indicate that these refunds were made by November 15, 1996.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Groom".

Eric Groom
Regulatory Analyst

c: Division of Water and Wastewater (Hill, Willis, Rendell, Rieger)
Division of Legal Services (Jaber)

BETMAR UTILITIES, INC.
POST OFFICE BOX 370
PORT RICHEY, FL 34673-0370
TELEPHONE: (813) 845-3600
FAX: (813) 845-1839

November 6, 1996

*Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850*

SENT VIA FAX

ATTN: Eric Grooms

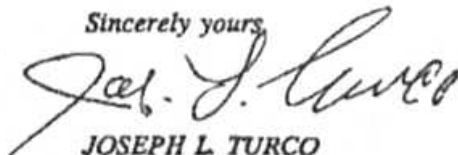
*RE: Refund to Customers for
Backflow Devices*

Dear Mr. Grooms:

In response to your November 5, 1996 letter, please find enclosed a copy of the Daily Transaction Report dated October 15, 1996, as proof, wherein it shows the customers and the \$150.00 credit that was given to each of the customers.

If you should have any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely yours,



JOSEPH L. TURCO
UTILITY MANAGER

JLT:jat
Enclosure
© 1996 Enclosure

DAILY TRANSACTION REPORT FOR BETMAR UTILITIES INC. 10/15/96 PAGE 1

CUST#	CUSTOMER NAME	SERV CODE	AMOUNT	REFERENCE
6640	HEIM, CHARLOTTE C	2	\$150.00 CR	101596
6192	BURLEIGH, HOWARD C	2	\$150.00 CR	101596
8055	SHEELY, LAWRENCE D	2	\$150.00 CR	101596
6855	SOUTHCOTT, ROBERT W	2	\$150.00 CR	101596
5094	PAINE, ROBERT M	2	\$150.00 CR	101596
5670	NICHOLSON, JOSEPH M	2	\$150.00 CR	101596
7510	PARSONS, FRANK	2	\$150.00 CR	101596
TOTAL NUMBER OF TRANSACTIONS 7				
TOTAL PAYMENTS \$0.00		TOTAL ADJUSTMENTS \$1,050.00		TOTAL CHARGES
\$0.00				