

State of Florida



Public Service Commission

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

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**DATE:** July 25, 2003  
**TO:** Division of Commission Clerk and Administrative Services  
**FROM:** Lorena A. Holley, Office of the General Counsel *LAM*  
**RE:** Docket No. 030471-WS-Application of transfer of Certificate Nos. 598-W and 513-S in Polk County from Bieber Enterprises, Inc. d/b/a Breeze Hill Utilities to Cal Clair, Inc. d/b/a Breeze Hill Utility.

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Please file the attached letter and attachment, dated July 21, 2003, from Mr. Kenneth Wankowski, in the above referenced docket. In his letter, Mr. Wankowski has indicated that he does not intend to request a formal hearing; accordingly, please list Mr. Wankowski as an Interested Person in the docket file.

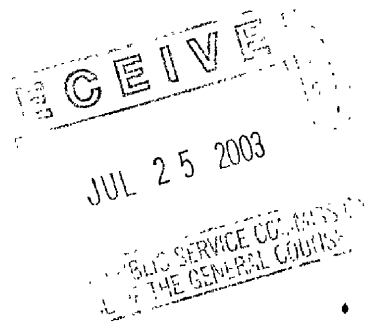
DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

July 21, 2003

Lorena A. Holley, Senior Attorney  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

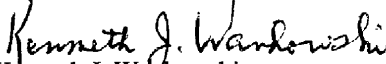


Ref: Your letter of July 8; Re: Docket No. 030471-WS

Thanks for responding to my letter of June 21, 2003, and for the copy of Cal Clair's application for approval of the transfer. I do wish to make the following observations on matters under consideration.

- a) You state that the Commission approved the expense for a maintenance employee (Donald McNabb) as prudent and reasonable to operate the utility on a **going-forward** basis.
  - 1) Why then did Commissioners Palecki, Baez, and Bradley **NOT** pay any attention to our admonition at the July 23, 2002 Agenda Conference that Mr. McNabb had been fired a month earlier, and had not been replaced, then or at any time since?
  - 2) And why, using the **annual** report, had the Commission staff failed to identify any over-earnings while doing their review of the utility's revenues and expenses?
  - 3) And finally, why are you reluctant to demand of Bieber Enterprises, Inc. evidence to corroborate the payment of the wages approved by the staff and the commission, and made a part of Order No. PSC-02-1114-WS, issued/effective on August 14, 2002?
- b) For the record, I do **NOT** intend to request a formal hearing, because I am unable to provide any evidence to support my contention that the "wages" were not paid. The Commission staff has the duty, and responsibility, to identify these non-payments, but apparently opts not to, since they were complicit in getting these monies into the proposal and the final order. And, bringing this to the attention of pinheaded commissioners like the ones that rubber-stamped Order No. PSC-02-1114-WS would be nothing more than an exercise in futility. I will, however, request elected representatives to assist in resolving the misrepresentation and/or possible fraud thought to be present in PSC-02-1114-WS.
- c) Ms. Holley, your transmittal letter of July 8, 2003 indicated that Charles Sheppard was provided a copy, including the enclosure. Mr. Sheppard advises that as of 9:24 PM (EDT) on Saturday, July 19, 2003 he had not received anything from PSC. Is it possible that there was a "muck-up" in the mail room, and that no one on the cc: list was provided this information?
- d) Attachment A is a copy of the document relative to the transfer of the mobile home park from Bieber Enterprises to Cal Clair. Can you **now** comment on why Cal Clair, Inc., dba Breeze Hill Mobile Home Park would state that this transfer is subject to approval by Florida PSC?
- e) One additional misrepresentation (lie?) needs to be pointed out. On the cover page of the "Application For Transfer" (and on other pages in the document), the "OFFICE STREET ADDRESS" is listed as "360 Breeze Hill", Lake Wales, FL, 33853. Be advised that no such **STREET** address exists; "360" is a separation in a National Delivery & Collection Box Unit (NDCBU) provided by the USPS for mail delivery to residences in Phase #3 of Breeze Hill, and #360 had previously been assigned to Breeze Hill Association, Inc., the homeowner's association. What is going on? The Suncoast District Office of USPS will be asked for an explanation as to how and why these two (2) unrelated corporations are permitted to use "360" for identification.

Sincerely,

  
Kenneth J. Wankowski  
W353 N5984 Lisbon Rd.  
Oconomowoc, WI 53066-2422  
(psc072103)

Attachment: (1)

cc: Baxter Troutman, Rep., Dist. 66  
Jack Shreve, OPC, 32399-1400  
Charles Sheppard  
File

Cal Clair, Inc. dba Breeze Hill Mobile Home Park  
P.O. Box 1408  
Lake Wales, FL 33859-1408

June 5, 2003

To Customers of Breeze Hill:

This letter is to inform you of the application to transfer ownership of the mobile home park from Bieber Enterprises, Inc., Terrance Hartigh, president, to Cal Clair, Inc. dba Breeze Hill Mobile Home Park, Calvin C. Blake, president. Consequently, please make maintenance payments payable to Cal Clair, Inc. dba Breeze Hill Mobile Home Park.

This transfer is subject to approval by the Florida Public Service Commission. In the event that the transfer is not approved, ownership of the mobile home park and utility will revert back to Bieber Enterprises, Inc.

Cal Clair, Inc. dba Breeze Hill Mobile Home Park

ATTACHMENT "A"