

State of Florida



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: September 9, 2003
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Gervasi) *JD*
RE: Docket No. 020640-SU - Application for certificate to provide wastewater service in Lee County by Gistro, Inc.

Please file the attached letter from William E. Sundstrom, Esquire, dated September 2, 2003, in the docket file for the above-referenced docket.

RG/dm

I:\020640-fm2 rg

DOCUMENT NUMBER DATE

08514 SEP-98

FPSC-COMMISSION CLERK

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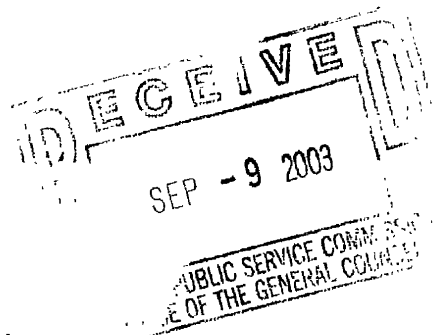
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September 2, 2003

MARTIN S. FRIEDMAN, P.A.
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(LICENSED IN TEXAS ONLY)

Rosanne Gervasi, Esq.
Florida Public Service Commission
Legal Department
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Re: Fritz Holzberg\Gistro, Inc.\Bonita Springs Utilities, Inc.;
Our File No. 20989.08

Dear Rosanne:

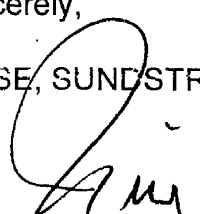
I am attaching a copy of a "Notice to Purchaser - Mortgagor" served upon the lot owners in the Spring Lakes subdivision in Bonita Springs, Lee County, Florida. Note the comments about the Public Service Commission "franchise" application.

Amazingly, this matter simply will not go away.

I am sure that this is a matter of some interest to the Commission.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP


William E. Sundstrom, P.A.
For the Firm

WES:jmt

Attachments

cc: (With attachments)
David Owen
Don Thomson
Fred Partin



INSTR # 5838218
Official Records BK 03946 PG 1700
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NOTICE TO PURCHASER - MORTGAGOR

To all lot owners, Lenders, Title insurers, and prospective purchasers of lots within the Spring Lakes subdivision, notice is hereby given by GISTRO INC. as successor in interest to Forest Mere Joint Venture, as the private utility owner of the sewer facility lines lying within the following described lands:

All lots in Springs Lakes, Phase 1 according to the plat thereof as recorded in Plat Book 37, page 94 et seq., Public Records of Lee County Florida

All lots in Springs Lakes, Phase 2 according to the plat thereof as recorded in Plat Book 48, page pages 74 et seq., Public Records of Lee County Florida

All lots in Springs Lakes, Phase 3 according to the plat thereof as recorded in Plat Book 50, at pages 36 et seq., Public Records of Lee County Florida

The undersigned has recently applied to the Public Service Commission for a sewer utility franchise for the above described lands. Until such time as the franchise has been approved, and connection fees established, the undersigned is not authorized, and shall not allow any sewer hook-ups that provide sewer service to the above described subdivision. Until further notice, any such hook ups shall be immediately disconnected and the cost thereof shall be assessed against the lot owner.

Further, notice is hereby served on all current residents of Spring Lakes, there has been numerous recent connections to the existing sewer facilities lying within the lands described without the consent or agreement of the owner of said lines. These illegal connections have been made in violation of the undersigned's ownership rights and are done in violation of Florida Statute 877.09, making such unauthorized connection a criminal offense. The undersigned hereby serves notice to all prospective purchasers that there is no sewer hook-up is available within those lands above described without the express written consent of the undersigned, as owner of said sewer lines.

DATED THIS 29 day of May, 2003.

Gistro Inc., a Florida Corporation

By: J. Fritz Holzberg
J. Fritz Holzberg, as President

STATE OF FLORIDA
COUNTY OF ~~COLLIER~~ Lee

Sworn to and subscribed before me this 29th day of May, 2003, by J. Fritz Holzberg, as President of Gistro Inc., a Florida Corporation, who is personally known to me and he did take an oath.

Rebecca Henderson

Notary Public

REBECCA A. HENDERSON

Typed, Printed or Stamped Name

My Commission Expires: 7-1-2006
My Commission Number is: DD0130652

