

031087

ORIGINAL

**APPLICATION FOR ORIGINAL CERTIFICATE**

**(FOR A PROPOSED OR EXISTING SYSTEM REQUESTING INITIAL RATES AND CHARGES)**

**(Section 367.045, Florida Statutes)** 03 DEC 31 AM 10:37

RECEIVED-FPSC  
03 DEC 31 PM 3:30  
COMMISSION CLERK

**LEGAL NOTICE**

Notice is hereby given on 12/03/03, pursuant to Section 367.045, Florida Statutes, of the application of Lazy S Receivers to operate a water and/or wastewater utility to provide service to the following described territory in Polk County, Florida.

**DESCRIPTION OF THE LAZY S UTILITY SERVICE AREA**

Commencing at the northwest corner of Section 26, Township 28 South, Range 23 East thence south a distance of 25 feet to the south right-of-way line of Ariana Street also being THE POINT OF BEGINNING, thence easterly along the south right-of-way line of Ariana Street to the northeast corner of the of the west 1/2 of the east 1/2 of said section, thence southerly a distance of 1225', thence easterly a distance of 670' to the east line of the northwest 1/4 of said section, thence southerly along the east line of the northwest 1/4 of said section a distance of 1430' to the south line of the northwest 1/4 of Section 26, Town 28 South, Range 23 East, thence west on the south line of said section to the west of the section, thence north along the west line of said section to the south right-of-way line of Ariana Street also the POINT OF BEGINNING. Being 142 acres more or less.

Any objection to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

**(Utility name and address)**

The Colinas Group - Receivers  
2033 E. Edgewood Drive Suite 5  
Lakeland, FL 33803

US  
AF  
VP  
DM  
TR  
RL  
LC  
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NOTE: We have made application to The Public Service Commission to assist in regulating the water system. PLEASE UNDERSTAND THAT on an average over the last 7 months the water being metered through the city's meter equates to 510 gallons per day in each home. **THIS IS THREE TIMES** what it should be. If you are allowing your water to run when not being used please turn it off or if you have leaks in your home please repair them. Should the present usage continue there may be no alternative but to increase the monthly user fees. We will take every precaution to avoid this.

DOCUMENT NUMBER-DATE  
00208 JAN-7 50  
FPSC-COMMISSION CLERK

I

Dec. 29. 03

To Whom it may Concern.

Here is a copy of a letter that was sent to me.

I am objecting to the price of \$5.50 a month for water I feel I do not use. I read my meter every month, the most I used was 2,200 gal. that was one time, the other times were 1,000 gal and under that.

I live here by my self. I have lived here at 150 5.50 Wabash Ave. for 20 years.

I have always paid my water bills, sometimes \$10.00 to \$12.00 a month. When they no longer read the meters I still took \$10.00 a month to the office. I have all my receipts to show for it.

When the Colinas Group took over, I am paying \$35.50 a month. I feel the meters should be read, and charged for what I use like when Lory S. was reading the meters:

I have copies of my meter readings from 1994 til this date the average water used is 1,000 gals and under.

As what was stated in a copy of this letter each household is using 510 gal a day. There is no way I could use that much water.

This water system is unbalanced. For there are 5 and 6 people in other homes that pay \$35.50 a month with the same as I do.

Sincerely yours  
May Carter

**DEPARTMENT OF WATER UTILITIES**

501 East Lemon Street - A32  
Lakeland, Florida 33801-5079  
(863) 834-6568 FAX (863) 834-6274  
[www.waterutilities.lakelandgov.net](http://www.waterutilities.lakelandgov.net)



**"TREATING YOUR WATER SERIOUSLY"**

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Chuck Garing, Director  
Bob Conner, Assistant Director                      Gary Ross, Assistant Director

October 23, 2003

Mr. Ray Carter  
1505 S. Wabash Avenue  
Lakeland, Florida 33803

Mr. Carter,

I am writing to you to respond to your concern regarding the current water billing you receive as being a customer of the former Lazy S Utilities. Perhaps the most direct response I can provide you is to let you know that the development in which you live lies outside of Lakeland's municipal limits and, consequently, the City has no jurisdiction to regulate the rates charged to customers in your community. However, a brief history of this problem might be helpful.

For many years, the City of Lakeland Water Utility had provided water to Lazy S Utilities, Inc. through a metered service. This service provided water by which Lazy S was able to furnish water service to its customers through its own distribution system.


The operators of Lazy S found it difficult to continue running the system and keep collections current which, in turn, paid the City of Lakeland's water bill. In fact, the water system is currently more than \$19,000 in arrears for water previously provided by the City but not paid for. A year or so ago, the operators of Lazy S Utilities decided they did not wish to run this system any more. They petitioned the Polk County Circuit Court to abandon their involvement in the utility. The Court granted the request and appointed The Colinas Group as receivers of the utility.

Even though the City of Lakeland's water billing account to Lazy S Utilities, Inc. was, and remains, in arrears, the City did not wish to cut off the water. That would have placed you and many others being served by Lazy S in a tough spot. Instead, the City has chosen to allow The Colinas Group, as receivers, time in which to pay off the outstanding debt. They, of course, are also responsible for paying the current monthly water charges incurred by the system.

Any water billing performed by The Colinas Group has been adopted as part of their agreement with the Court in an effort to keep this system solvent.

Should you have any further questions regarding your current billing arrangement, I suggest you contact Mr. Charles Freed with The Colinas Group, Inc. at (863) 669-9141.

Sincerely,

  
Gary L. Ross  
Assistant Director of Water Utilities

xc: Charles S. Freed, P.E., The Colinas Group  
Charles Garing, Director of Water Utilities  
Barbara Lipscomb, Assistant City Manager  
Palmer Davis, Assistant City Attorney

## **PUBLIC NOTICE**

This is to provide notice to the users of the former Lazy S Utilities, Inc. water system PWS Number 6534578 that in the sampling year of 2002 lead and copper samples were NOT taken in accordance with Chapter 62-551 of the Florida Administrative Code.

This system will be sampled in 2003 and shall continue to be sampled as required. Lead can pose a risk to your health. Please read the information below.

Lead can pose a significant risk to your health if too much of it enters your body. Lead can build up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. When water stands in plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn in the morning can contain high levels of lead. Let the water run from the tap before using it for drinking or cooking. Flushing the tap means running the cold water faucet until the water gets noticeably colder, usually about 15-30 seconds. Avoid using the hot water faucet for drinking and cooking purposes as it can dissolve lead more quickly than cold water. For further information please contact David Blount at 863-294-3536.

## **NOTICE**

There will be a meeting of those persons interested in learning more about the former Lazy S Utilities water system. The meeting will begin at 7 pm on Tuesday March 18, 2003 in the auditorium of the Hope Baptist Church. The church is located at 504 Plateau Avenue. This is near the Jesse Keen Elementary School.

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## **TO: CUSTOMERS OF THE FORMER LAZY S UTILITY COMPANY**

The former owners of the Lazy S Utility Company, Inc. have filed notice that they can no longer operate the water utility system. Without proper operation and maintenance on the water system a health problem could occur. On February 7, 2003 the Circuit Court appointed The Colinas Group, Inc., a Florida Corporation, as Receiver.

The receiver has been charged with operating the utility in a manner so as to effectively and efficiently provide water service to the Utilities customers in accordance with the rules and regulations of the State of Florida and Polk County. In order to make current water payments to the City of Lakeland, and maintain the system, the following rates have been established :

1. The base bill for each customer will be **\$35.50 per month** for the first 8,000 gallons of water used. Water used over the 8,000 gallons will be billed at:  
\$2.05 per 1000 gallons for the next 5,000 gallons  
\$2.50 per 1000 gallons for the next 5,000 gallons and  
\$2.75 per 1000 gallons for any usage over 18,000 gallons
2. There shall be a **deposit due** of one months user charge of **\$35.50** to establish an account. Meters will be read as close to the same time each month as possible. Bills will be mailed within four days of the meter reading. The customer will have **20 calendar days to pay the bill**. After which the account will be deemed late and a **\$3.50 late charge will be added to the bill**. Should the bill remain unpaid for **20 additional days** the customer will receive a notice to terminate service and the water will be cutoff. When service is cutoff the entire bill must be paid before the service will be reconnected. There will be a **\$20.00 reconnect fee** which will be on the next months bill. Any meter that is tampered with or otherwise disconnected by other than the receivers shall be charged **\$50.00 plus the cost of any materials needed for the repair**. Only employees of the receiver or persons under contract to the receiver shall repair the meters.
3. A **\$30.00** charge will be imposed on all returned checks.
4. Checks or money orders should be made Payable to **'The Colinas Group – Receiver'** and mailed to **2033 E. Edgewood Drive, Suite 5, Lakeland, FL 33803**.

The above rates will begin with the April 2003 bills. The March bills will be approximately \$20.00.

To provide the most accurate billing ALL meters will eventually have to be replaced The cost of installing meters is \$150.00. When a new meter is required the customer may make a one time payment of \$150.00 or have the cost spread over twenty four months. The meters that are not working will be the first to be replaced.

Should a customer question the meter reading it will be reread. If the reading is correct the customer will be charged \$15.00. Should the reading be inaccurate the reread is free and the customers bill adjusted.

For questions regarding the operation or billing please call 863-669-9141 between the 8:30 am and 5:30 pm. For emergency service after hours you may call 863-294-3536. We will make every effort to provide safe drinking water at the lowest possible cost while making improvements as funds are available.

The deposits shall be placed in an interest bearing escrow account. It will be returned to the customer (with interest) after having a good payment record for two years.

Thank you, David Blount and Charles Freed Receivers.

**Please help save a precious natural resource by repairing all leaks.**

LAZY S CORPORATION  
2000 ARIANA STREET  
LAKELAND, FLORIDA 33803-1640  
(863) 686-0322

118

352445

DATE 7-8-02

RECEIVED FROM

Ray Carter  
Clear

\$ 11 40

DOLLARS

FOR

AMOUNT OF ACCOUNT		
THIS PAYMENT		
BALANCE DUE		

- CASH
- CHECK
- M O

BY Mallu Thom *Thank You*

LAZY S CORPORATION  
2000 ARIANA STREET  
LAKELAND, FLORIDA 33803-1640  
(863) 686-0322

118

352596

DATE 11-6-02

RECEIVED FROM

Ray Carter  
Jan

\$ 10 00

DOLLARS

FOR

AMOUNT OF ACCOUNT		
THIS PAYMENT		
BALANCE DUE		

- CASH
- CHECK
- M O

BY Mallu Thom *Thank You*

LAZY S CORPORATION  
2000 ARIANA STREET  
LAKELAND, FL. 33803  
(813) 686-0322

ACCOUNT # \_\_\_\_\_

TOTAL PAID	RENT	LOT /TRAILER	MISC.
_____	_____	_____	_____
PAST DUE RENT	PAST DUE MISC.	TOTAL PAST DUE	
_____	_____	_____	
CURRENT LOT / TR	CURRENT RENT	CURRENT MISC.	TOTAL DUE
_____	_____	_____	_____

NAME

ADDRESS

CITY and STATE

LAZY S UTILITIES, INC  
2000 ARIANA STREET  
LAKELAND, FL. 33803  
(813) 686-0322

ACCOUNT # W118

TOTAL PAID	WATER	MISC.	
<u>4.20</u>	<u>4.20</u>	_____	
PRES. READING	PREV. READING	GAL. USED	YOUR COST
<u>4.20</u>	<u>4.20</u>	_____	_____
PAST DUE MISC.	PAST DUE WATER	CURRENT MISC.	CURRENT WATER
_____	<u>4.00</u>	_____	_____
			TOTAL DUE
			<u>.20</u>

NAME Ray Carter

ADDRESS 1505 Wabash Avenue

CITY AND STATE Lakeland FL 33803



water

Water

may 10 1999 = 975

597  
594  
513

June 5 600.2

6-19 - 6014

6-28 - 6029

7-28 - 6042

8-28 - 6051

9-26 - 6062

10-26 607

11-29 607

1-8 <sup>FOR-12M</sup> 608

1-30 - 609

2-26-01 610

3-27-01 613

4-30-01 616

5-30-01 618

6-27-01 619

7-28-01 620

8-30-01 622

9-25-01 625

10-25-01 629

1-27-01 63P

1-27-01 63E

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1-26-03

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3-27-03

4-27-03

paid 633 634

635

638

640

644

648

651

655

656

664

669

672

678

Water

Colimar Group Receiver

Date	Min Reading	Pre-Reading
3-27-03	672	669
4-21-03	671	671
5-26-03	684	678
6-26-03	675	680
7-26-03		689
<del>8-26-03</del>		<del>699</del>
8-26-03		697
9-29-03		714
10-26-03		727
11-26-03		749
12-26-03		800