

ORIGINAL

RECEIVED-PPSC

MR. & MRS. MICHAEL CHIOFALO

05 JAN -9 AM 9:55

231 Caribbean Way
Davenport, Fl 33897

COMMISSION
CLERK

January 5, 2006

Blanca Bayo'
Director, Division of the commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

RE: Docket# 050595-WS Application for certificates to provide water and waste water service in Polk County by Island Club West Development, Inc. and/or Four Points Utility Corporation

Dear Mrs. Bayo',

Please except this letter as an objection to the above application being considered. Unfortunately I am not able to make a personal appearance due to the fact I am presently out of state. I feel this objection needs to be heard for the following reasons:

- 1) Island Club West Homeowners Association has taken control of all the common areas within this development in January 2005. It has been reported to me that the Homeowners Association has repeatedly requested from this applicant to turn over all records and homeowner association dues. Presently it has not been done and will most likely result in legal action. Also myself and many other homeowners within this development have had severe monetary losses in their dealings with this applicant through various other corporations owned by him specifically Orlando Vacations Inc. (OVI). Arbitrations for claimed losses are presently ongoing. I myself was forced to retain counsel to claim damages owed by OVI, which cost me thousands of dollars.
- 2) Presently the applicant has been operating as if an approved application was already in place. This seems to be an act of contempt for the proper procedure and approval process. The applicant has consistently produced inaccurate bills and has neglected to provide them in a timely fashion thus creating very large bills when they are finally received. Also the applicant has billed minimum water and sewer charges that far exceed the minimum charges being billed to Island Club West thus setting his own rates without any approval at all. Enclosed are copies of some of the most recent bills. This applicant also is providing electrical service (I'm sure it is without the proper certificate in place) and similar disputes are clearly apparent. The utility bills received never show a beginning meter reading and an end meter reading for water and electric so an accurate accounting of usage can be verified. I understand that

CMP _____
 COM _____
 CTR _____
 ECR _____
 GCL _____
 OPC _____
 RCA _____
 SCR _____
 SGA _____
 SEC 1
 OTH _____

DOCUMENT NUMBER-DATE

00163 JAN-9 8

this is strictly an application for water and wastewater but a pattern clearly exists.

- 3) Finally it would be beyond my imagination why this application would ever be approved considering his past dealings with the city of Kissimmee and how they are still apparently waiting for more than \$300,000 of water and sewer impact fees. Article enclosed.

For the reasons outlined above it is clear that this application should be denied. Furthermore the Homeowners Association of Island Club West should ultimately over see the water and wastewater being delivered to their homeowners. If you would like to discuss this matter in further detail or I can be of additional help please feel free to contact me at 732-751-8877.

Respectfully Yours,



Michael Chiofalo

Cc: Four Points Utility
3100 Sand Mine Road
Davenport, Fl 33897

KISSIMMEE COMES UP \$300,000 SHORT DEVELOPERS HAVE DEFRAUDED THE CITY OF WATER AND SEWER IMPACT FEES FOR HAMILTON'S RESERVE, POLICE SAY.; [CENTRAL FLORIDA Edition]

Henry Pierson Curtis of The Sentinel Staff. Orlando Sentinel. Orlando, Fla.: Nov 5, 1994. pg. 1

Abstract (Document Summary)

The total amount due the city is \$343,000, said Brian Wheeler, city director of water and sewer. That sum includes \$185,000, plus \$12,000 in interest for unpaid sewer impact fees for about 200 houses in Royal Palm Bay; and \$146,000 in unpaid water and sewer impact fees for the second phase in Sweetwater Club, Wheeler said.

Full Text (366 words)

(Copyright 1994)

City coffers are missing more than \$300,000 from developers accused of defrauding water and sewer impact fees since 1991. As part of the alleged scheme, David Meadows and Linda Clark, principals in Complete Interiors Inc., gave city officials four phony letters of credit worth \$185,000, Kissimmee police said Friday.

The letters, which were drawn on a fictitious bank, were supposed to ensure that the city would be paid impact fees for Hamilton's Reserve, a development of about 600 homes and condominiums near Poinciana Boulevard and Siesta Lago Drive, according to city and police records.

The city, however, did not try to collect some of the impact fees until recently because water and sewer workers mistakenly thought they had already been paid, said City Manager Mark Durbin. Other fees were not collected when the Osceola County building department did not notify Kissimmee when Complete Interiors received building permits.

Hamilton's Reserve, which include such neighborhoods as Royal Palm Bay and Sweetwater Club, is in an unincorporated part of western Osceola County but receives some city services.

"It was partly the county's fault and partly the city's fault," Durbin said.

David Meadows, 50, and Linda Clark, 52, who are married, were each arrested late Wednesday on one count of a scheme to defraud and four counts of forgery, Detective Warren Shepard said.

Meadows and Clark, who were released on \$100,000 bond from the Osceola County Jail, could not be reached. A telephone listed for Complete Interiors has been disconnected.

The total amount due the city is \$343,000, said Brian Wheeler, city director of water and sewer. That sum includes \$185,000, plus \$12,000 in interest for unpaid sewer impact fees for about 200 houses in Royal Palm Bay; and \$146,000 in unpaid water and sewer impact fees for the second phase in Sweetwater Club, Wheeler said.

Complete Interiors sold its interest in Hamilton's Reserve last spring to Crown Homes. The city is negotiating with the new developer to pay the unpaid fees, officials said.

Sewer and water impact fees cover the costs of providing city services. The current rate is \$8.97 per gallon for sewer and \$4.41 per gallon for water, based on a 300-gallon capacity for each new house.

Resort Management Group Corp

Invoice

DBA Island Club West
3100 Sand Mine Road
Davenport FL 33897

Date	Invoice #
9/21/2005	UTIL-231-6-20...

Received ↑

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
2,313	Electric Usage above 1,000 KWH	0.0747	172.78
172.78	Florida Power - Gross Receipt Tax (3%)	0.03	5.18
172.78	County utility tax on Electric (5%)	0.05	8.64
172.78	State Tax	0.08	13.82
1	Electric Service	10.62	10.62
4,930	Water usage 4,001 to 5000 galon	54.26	54.26
2	Basic Line Charge for phone	25.00	50.00
1	Long distance charges	0.00	0.00
1	Cable Charges	30.00	30.00

*PAID 11/11/05
Ch # 5258*

This bill applies to the dates 6/1 to 06/30/2005 for Unit 231

Total

\$345.30

RESORT Management Group Corp

Invoice

DBA Island Club West
3100 Sand Mine Road
Davenport FL 33897

Date	Invoice #
9/21/2005	UTIL-231-7-20...

↑
RECEIVED

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
1,331	Electric Usage above 1,000 KWH	0.0886	117.93
117.93	Florida Power - Gross Receipt Tax (3%)	0.03	3.54
117.93	County utility tax on Electric (5%)	0.05	5.90
117.93	State Tax	0.08	9.43
1	Electric Service	10.62	10.62
? 16,000	Water usage 15001 to 20000 gallon	65.58	65.58
2	Basic Line Charge for phone	25.00	50.00
1	Long distance charges	0.00	0.00
1	Cable Charges	30.00	30.00
<i>Utilities PAID ch# 5259</i>			
<p>This bill applies to the dates 7/1 to 07/31/2005 for Unit 231</p>			<p>Total \$293.00</p>

Resort Management Group Corp

Invoice

DBA Island Club West
 3100 Sand Mine Road
 Davenport FL 33897

Date	Invoice #
9/21/2005	UTIL-231-8-20...

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

Received 290 12/8
Received

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
?? 2,109	Electric Usage above 1,000 KWH	0.0868	183.06
183.06	Florida Power - Gross Receipt Tax (3%)	0.03	5.49
183.06	County utility tax on Electric (5%)	0.05	9.15
183.06	State Tax	0.08	14.64
1	Electric Service	10.62	10.62
?? 0	Water Usage 0 galon	46.09	46.09
2	Basic Line Charge for phone	25.00	50.00
1	Long distance charges	6.00	6.00
1	Cable Charges	30.00	30.00
This bill applies to the dates 8/1 to 08/31/2005 for Unit 231		Total	\$355.05

Resort Management Group Corp

Invoice

Island Club West
 101 Golden Malay Palm Way
 Davenport, FL, USA 33897

Date	Invoice #
11/11/2005	UTIL-231-9-20...

*Spoke w/
 Charlene
 11/10/05*

Received ↗

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
✓ 2,502	Electric Usage above 1,000 KWH	0.07802	195.21
195.21	Florida Power - Gross Receipt Tax (3%)	0.03	5.86
195.21	County utility tax on Electric (5%)	0.05	9.76
195.21	State Tax	0.08	15.62
1	Electric Service	10.62	10.62
? 70	Water Usage up to 1000 gallon	43.37	43.37
2	Basic Line Charge for phone	25.00	50.00
1	Long distance charges	3.00	3.00 ✓
53	Phone Tax	0.0917	4.86
1	Cable Charges	30.00	30.00
1	Cable Tax	0.1317	3.95

This bill applies to the dates 9/1 to 09/30/2005 for Unit 231

Total

\$372.25

Resort Management Group Corp

Invoice

Island Club West
 101 Golden Malay Palm Way
 Davenport, FL, USA 33897

Date	Invoice #
11/23/2005	UTIL-231-10-2...

Received

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

Year	Month	Terms
2005	10	Net 30

Description	Qty	Rate	Amount
Electric Usage above 1,000 KWH	1,347	0.0799	107.63
Florida Power - Gross Receipt Tax (3%)	107.63	0.03	3.23
County utility tax on Electric (5%)	107.63	0.05	5.38
State Tax	107.63	0.08	8.61
Electric Service	1	10.62	10.62
Water usage 1,001 to 2000 gallon	1,140	50.11	50.11
Basic Line Charge for phone	2	25.00	50.00
Long distance charges	1	0.00	0.00
Phone Tax	50	0.0917	4.59
Cable Charges	1	30.00	30.00
Cable Tax	1	0.1317	3.95

This bill applies to the dates 10/1 to 10/31/2005 for Unit 231	Total	\$274.12
	Payments/Credits	\$0.00
	Balance Due	\$274.12

Resort Management Group Corp

Island Club West
101 Golden Malay Palm Way
Davenport, FL, USA 33897

*Spoke w/
Charlotte 1/4/06*

Invoice

Date	Invoice #
12/21/2005	UTIL-231-11-2...

*↑
Received*

Bill To
Chiofalo, Michael 95 Lark Drive South River, NJ 08882 USA

Year	Month	Terms
2005	11	Net 30

Description	Qty	Rate	Amount
Electric Usage above 1,000 KWH	1,351	0.08449	114.15
Florida Power - Gross Receipt Tax (3%)	114.15	0.03	3.42
County utility tax on Electric (5%)	114.15	0.05	5.71
State Tax	114.15	0.08	9.13
Electric Service	1	0.00	0.00
Water Usage 25001 to 26000 gallon	26,250	?? 192.37	192.37
Basic Line Charge for phone	2	25.00	50.00
Long distance charges	1	9.00	9.00
Phone Tax	59	0.0917	5.41
Cable Charges	1	30.00	30.00
Cable Tax	1	0.1317	3.95

<p>This bill applies to the dates 11/1 to 11/30/2005 for Unit 231</p>	Total	\$423.14
	Payments/Credits	\$0.00
	Balance Due	\$423.14