

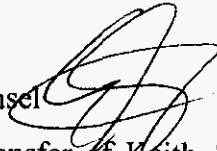
State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: May 18, 2010
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Erik L. Saylor, Senior Attorney, Office of the General Counsel 
RE: Docket No. 090093-WS - Application for approval of transfer of Keith & Clara Starkey d/b/a Heather Hills Estates' water and wastewater utility, holder of Certificates 577-W and 498-S, to Heather Hills Estates Utilities, LLC, in Manatee County.

Please place the attached "status report" email from Mr. Steve Reilly into the docket file.

ELS/th
Attachment

RECEIVED-PPSC
10 MAY 18 AM 10:41
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

04177 MAY 18 2010

PPSC-COMMISSION CLERK

Erik Sayler

From: REILLY.STEVE [REILLY.STEVE@leg.state.fl.us]
Sent: Tuesday, May 18, 2010 9:20 AM
To: Erik Sayler; Mike Smallridge
Subject: Heather Hills Report

The following is an update concerning the Heather Hills Docket No. 090093-WS, and a report of my phone conversation with the Starkey's and Stephens' on May 14, 2010:

First, a number of customers told our office that at the 4/1/10 customer meeting held by the Starkey's and Stephens' ("Applicants"), there were various statements made by the proposed transferee that it intended to hold the line on future rate increases. If that was the case, OPC thought such a commitment might be the basis of a possible Settlement Agreement for this docket. The Commission has approved Settlement Agreements providing for approval of proposed transfers, subject to an agreement by the transferee to defer filing a rate case for a certain period of time, while allowing for index and pass-through rate increases as provided by Sections 367.081(4)(a) and (b), F.S. The proposed transferee indicated that it was not in a position to agree to defer filing for a rate increase for any particular period of time.

Second, we discussed the issue of the amount of customer support for and against the proposed transfer. The Applicants rightly argued that they have produced the signatures of various owners and or renters of homes in Heather Hills who are in support of the proposed transfer. I have been told that the customers opposed to the transfer have also been collecting signatures of owners and or renters who are opposed to the transfer. However, to date, they have not been forwarded to our office. I agreed with the Applicants that we need to establish a deadline for these signatures to be produced by those opposing the transfer, in order to gauge the percentage of customers who support, oppose or have expressed no opinion about the proposed transfer.

To accomplish this task, I asked the customers opposed to the transfer to produce their signatures no later than Friday, May 21, 2010. I also requested that they produce a list of all of the addresses in Heather Hills with each address reflecting either support, opposition or no position on the proposed transfer. Upon receiving the results of this effort our office will be in a better position to make a decision concerning what future role we should play in this docket.

5/18/2010
