

**Diamond Williams**

100149-WU

**From:** Trina Collins [TCollins@RSBattorneys.com]  
**Sent:** Tuesday, November 09, 2010 4:53 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** ewallace@niamerica.com; BWilkinson@niamerica.com; donald.clayton@tangibl.com; Bart Fletcher; Martin Friedman; Christian W. Marcelli; Trina Collins  
**Subject:** Filing in Docket No.:100149-WU; Ni Florida, LLC - Tamiami Application for an Increase in Water Rates in Lee County, Florida  
**Importance:** High  
**Attachments:** PSC Clerk 13 (Filing Response to Staff's 5th Data Request) ltr.pdf

- a. Martin S. Friedman, Esq.  
Christian W. Marcelli, Esq.  
Rose, Sundstrom & Bentley, LLP  
766 N. Sun Drive, Suite 4030  
Lake Mary, FL 32746  
Phone: (407) 830-6331  
Fax: (407) 830-8522  
Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)  
[cmarcelli@rsbattorneys.com](mailto:cmarcelli@rsbattorneys.com)
- b. Docket No. 100149-WU; Ni Florida, LLC - Tamiami's Application for an Increase in Water Rates in Lee County, Florida - Filing the Utility's response to Staff's fifth data request dated October 26, 2010.
- c. Ni Florida, LLC - Tamiami
- d. 38 Pages.
- e. Letter to Commission Clerk and attachments - 38 pages.

DOCUMENT NUMBER-DATE

09266 NOV-9 2010

FPSC-COMMISSION CLERK

11/9/2010

LAW OFFICES

**ROSE, SUNDBSTROM & BENTLEY, LLP**

www.rsbatorneys.com

Please Respond to the Lake Mary Office

FREDERICK L. ASCHAUER, JR.  
CHRIS H. BENTLEY, P.A.  
ROBERT C. BRANNAN  
F. MARSHALL DETERDING  
MARTIN S. FRIEDMAN, P.A.  
JOHN J. FUMERO, P.A.  
BRIDGET M. GRIMSLEY  
JOHN R. JENKINS, P.A.  
KYLE L. KEMPER

November 9, 2010

E-FILING

CHRISTIAN W. MARCELLI  
STEVEN T. MINDLIN, P.A.  
THOMAS F. MULLIN  
CHASITY H. O'STEEN  
WILLIAM E. SUNDBSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON

ROBERT M.C. ROSE, (1924-2006)

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 100149-WU; Ni Florida, LLC - Tamiami  
Application for an Increase in Water Rates in Lee County, Florida  
Our File No.: 43053.04

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is the response of Ni Florida, LLC - Tamiami (the "Utility") to Staff's fifth data request dated October 26, 2010. Staff has requested the following information in order to complete its analysis in the above-referenced docket.

1. In the Utility's filing, a footnote on schedule F-1 explaining the excess unaccounted for water states, "In October of 2009, Ni Florida LLC began an isolation valve and meter replacement program. It is expected that once this program is complete, lost and unaccounted for water will drop below 10%." In response to Staff's second data request the Utility provided a schedule that shows updated flow data that includes data for time periods after this program was completed. A comparison of the volumes of water purchased to volumes of water sold shows that the percentage of unaccounted for water has increased since the test year. Please explain:

a) If the volumes of water purchased noted in the schedule provided include any water used as part of the pro forma flushing program. And if so, please provide a schedule detailing how much water was used each month, January through August 2010, for flushing.

b) The reasons for the amount of excess unaccounted for water as shown in the provided schedule, and please explain why the amount of the unaccounted for water has increased instead of decreasing since the test year.

766 N. SUN DRIVE, SUITE 4030, LAKE MARY, FLORIDA 32746 (407) 830-6331 Fax (407) 830-8522

2548 BLAIRSTONE PINES DRIVE, TALLAHASSEE, FLORIDA 32301 (850) 877-6555 Fax (850) 656-4029

950 PENINSULA CORPORATE CIRCLE, SUITE 2020, BOCA RATON, FLORIDA 33487 (561) 982-7114 Fax (561) 982-7116

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**RESPONSE:** Attached is a monthly schedule for January through August 2010 of water purchased, water sold, water used for other purposes (including flushing), water lost or unaccounted for, and a percentage of water lost or unaccounted for.

The attached schedule has been updated to show the latest results. The water lost and unaccounted for percentage is high for January through March 2010, and then after the bulk of the meter replacement project was completed in the first quarter of 2010, the percentages improve dramatically for April through August 2010.

2. The Utility's response letter dated October 15, 2010 states, "When Ni Florida, LLC acquired the Tamiami Village water system it had violations." Please provide a detailed explanation as well as support documentation, if any, of these violations. Also, please explain what remedies the Utility has provided for these violations.

**RESPONSE:** The Tamiami Village water system had several violations when Ni Florida LLC acquired it. First, it had a leaking isolation valve at the BFP. This has been repaired and is no longer dripping. Second, it did not have a quarterly flushing program. Flushing is now being done on a monthly basis. Third, it did not have a preventative maintenance program. Ni Florida LLC has cleaned valve boxes, rehabbed valves and encased them in a concrete collar, installed blow-off valves, and exercised the valves. Lastly, Ni Florida LLC has replaced meters in hopes of lowering water losses. Please see the May 15, 2009 and November 12, 2008 compliance inspection reports for the Tamiami Village water system.

3. Please provide updated information relating to the rate case expense. This should include the following:

a) For each individual person, in each firm providing consulting services to the applicant pertaining to this docket, provide the billing rate, and an itemized description of work performed. Please provide detail of hours worked associated with each activity. Also provide a description and associated cost for all expensed incurred to date.

b) For each firm or consultant providing services for the applicant in this docket, please provide copies of all invoices for services provided to date.

c) If rate consultant invoices are not broken down by hour, please provide reports that detail by hour, a description of actual duties performed, and amount incurred to date.

d) Please provide an estimate of costs to complete the case by hour for each consultant or employee, including a description of estimated work to be performed, and detail of the estimated remaining expense to be incurred through the PAA process.

e) Please provide an itemized list of all other costs estimated to be incurred through the PAA process.

**RESPONSE:**

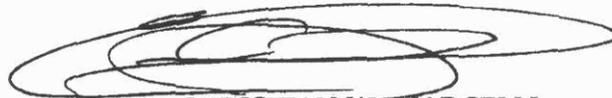
- a. Attached is a detail of the costs incurred by each individual in each firm through September 30, 2010. The individual invoices, which are also attached, provide a description of the work done on each activity and a detail of the reimbursable expenses incurred.
- b. Attached to this response is a file containing all invoices for all rate case expenses incurred through September 30, 2010.
- c. The response to part (a) provides the hours worked, a description of duties performed, and amount incurred to date.
- d. Attached to this response is a detail of the estimated costs by each consultant or employee, including a description of estimated work to be performed, and detail of the estimated remaining expense to be incurred through the PAA process.
- e. Attached to this response is a detail of all other costs to be incurred through the PAA process.

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
November 9, 2010  
Page 4

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Should you or members of the Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



CHRISTIAN W. MARCELLI  
For the Firm

CWM/der

cc: Ed Wallace, President (w/enclosures) (via e-mail)  
Mr. Benny Wilkinson (w/enclosures) (via e-mail)  
Mr. Donald Clayton (w/enclosures) (via e-mail)  
Mr. Bart Fletcher (w/enclosures) (via e-mail)

M:\1 ALTAMONTE\1 ALTAMONTE\1 FLORIDA, LLC (43053)\(.04) 12-31-09 TY Rate Case (Lee County)\PSC Clerk 13 (Filing Response to Staff's 5th Data Request) ltr.doc

Ni Florida, LLC - Tamiami Village

2010 Water Sold, Water Purchased, Other Uses, and # of Customers

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
<b>Water purchased</b> (In 1,000s of Gallons)	2,971	3,782	3,888	3,238	2,021	2,040	1,586	1,337	20,863
Meters read ~ 6 <sup>th</sup> -10 <sup>th</sup> of Month									
<b>Prorated Purchased Water</b> (Based on number of days in month)	3,520	3,645	3,685	2,426	2,018	1,673	1,483	1,331	19,782
<b>Water Used for Flushing</b> (Est. in 1,000s of Gallons)	125	125	125	125	125	125	125	125	1,000
<b>Water lost due to leaks</b> (Est. in 1,000s of Gallons)	56	56	14	42	56	-	84	14	322
<b>Water sold</b> (In 1,000s of Gallons)									
Residential	1,618	1,870	1,727	1,612	1,308	982	790	740	10,647
Commercial 5/8" x 3/4"	110	129	139	163	232	141	78	157	1,148
Commercial 1"	22	30	25	29	13	25	12	-	157
Commercial 1 1/2"	299	408	250	204	244	299	324	208	2,236
Bulk 3"	278	441	384	272	114	35	39	28	1,591
<b>Total Water Sold</b>	2,326	2,878	2,525	2,281	1,911	1,482	1,243	1,133	15,779
Meters read ~ 30 <sup>th</sup> of Month									
<b>Water Lost or Unaccounted For</b>	1,012	587	1,022	(21)	(74)	66	31	59	2,681
<b>% Water Lost or Unaccounted For</b>	28.8%	16.1%	27.7%	-0.9%	-3.7%	3.9%	2.1%	4.4%	13.6%

DOCUMENT NUMBER-DATE

09266 NOV-9 0

FPSC-COMMISSION CLERK



Charlie Crist  
Governor

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

November 12, 2008

John Wittenzellner  
Tamiami Village MHP  
13825 US Highway 19  
Suite 301  
Hudson, Fl 34667

Reference: Compliance Inspection Report for Consecutive Systems  
Tamiami Village Mobile Home Park  
PWS I.D. No.: 5364151

Dear John Wittenzellner:

Attached is a copy of the recently completed Compliance Inspection Report for the referenced consecutive system. Deficiencies found with the system, if any, are listed on this report. Listed deficiencies are violations of Florida Administrative Code and must be corrected in order to avoid formal enforcement action.

If any deficiencies are listed, please have them corrected within twenty (20) days of the date of this letter. For those deficiencies that cannot be corrected within this time frame, provide this office with a written schedule for correction within this same time frame.

Sincerely,

Jerry W. Ma, P.E.  
Professional Engineer

JWM/ahs  
Enclosure  
Cc: Terry Kelsey  
Jenny Jernigan

LEE COUNTY HEALTH DEPARTMENT  
Judith Hartner, M.D., M.P.H.  
Director

REPLY TO: Environmental Engineering  
60 Danley Drive, Unit #1  
Ft. Myers, Florida 33907  
(239) 274-2200

DOCUMENT NUMBER-DATE

09266 NOV -9 01

FPSC-COMMISSION CLERK



State of Florida  
Lee County Health Department  
Environmental Engineering

**COMPLIANCE INSPECTION REPORT  
For  
CONSECUTIVE SYSTEMS**

**System Name:** Tamiami Village **County:** Lee **PWS:** 5364151

**Address:** 16371 North Cleveland Ave, NFM FL 33917 **Phone:** (880)559-2983

**Owner name:** NI FLORIDA **Contact:** John Wittanzeliner / Terry Kelsey / Jenny Jernigan

**Mailing address:** 13825 U.S. Highway 19 suite 301 Hudson, FL 34667 **Phone:** (880)559-2983

**This inspection date:** 11/10/08

**Last C.I. date:** 05/07/08

**Last sanitary survey date:** 12/27/06

**PWS Type:** Community

**Service area characteristics:** Mobile Home

**No. of service connections:** 745

**Served population:** 1500

**WATER PURCHASED FROM (PWS ID):** Lee County Utilities 5364048-04

**STORAGE CAPACITY:**

**CHLORINE RESIDUAL:** After Meter: CL2: 3.8 pH: 8.8 Temp: 78.0 (3047 Skyvilla Ln)

Remote: CL2: 3.5 pH: 8.5 Temp: 78.0 (8076 Flamingo Cir)

**PRESSURE:** After Meter:

Remote: 52psi (8076 Flamingo Cir)

**OTHER:**

Flow measuring device: Yes

Backflow prevention devices: Yes

Cross-connections observed? No

**Recommendations:**

**Deficiencies:**

Inspector: Allen

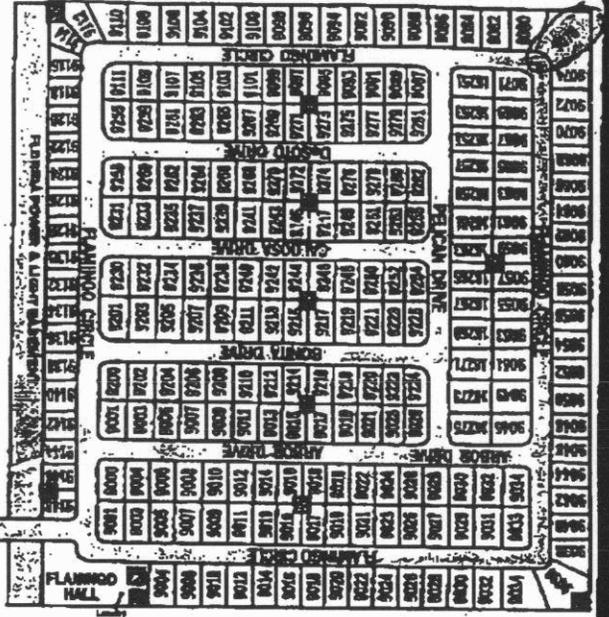
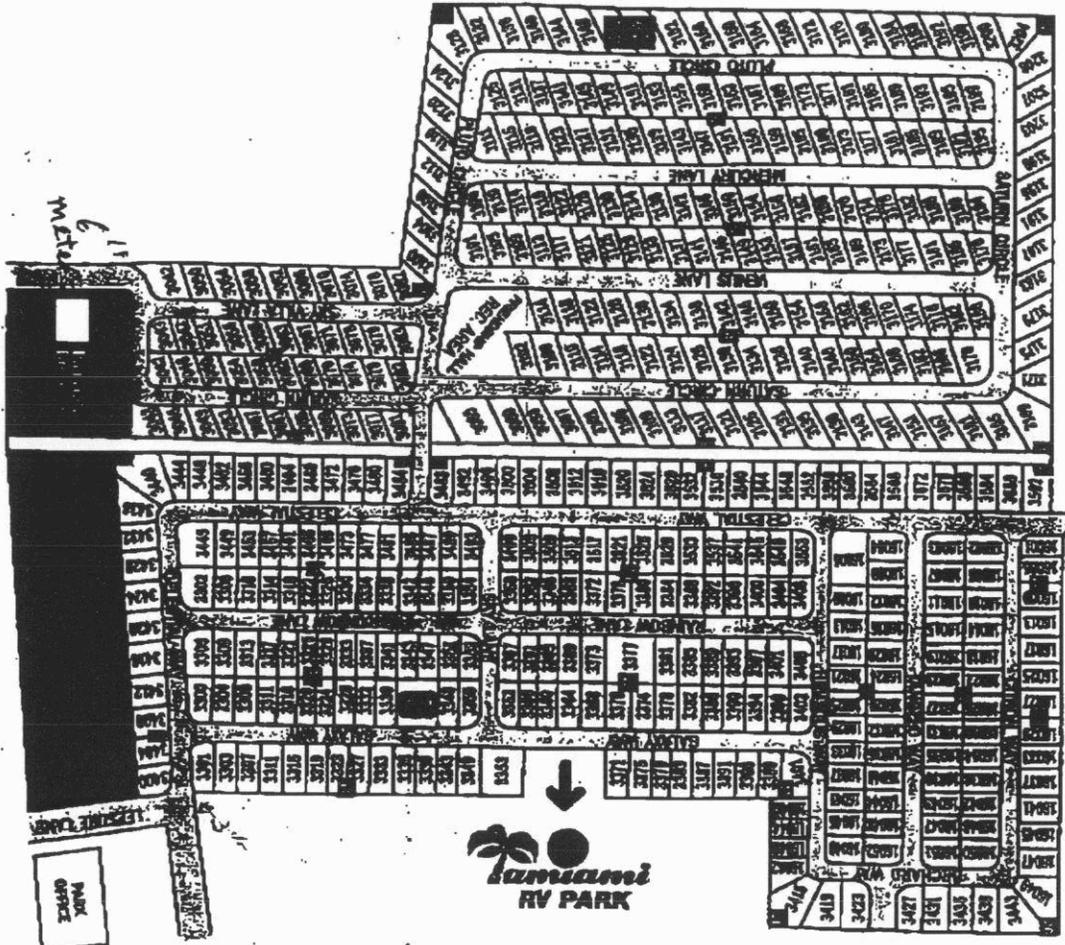
Title: Eng I

Date: 11/10/08

Approved by: [Signature]

Title: P.E. II

Date: 11/12/08



Charlie Crist  
Governor



Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

May 15, 2009

John Wittenzellner  
Tamiami Village MHP  
13825 US Highway 19  
Suite 301  
Hudson, FL 34667

Reference: Compliance Inspection Report for Consecutive Systems  
Tamiami Village Mobile Home Park  
PWS I.D. No.: 5364151

Dear John Wittenzellner:

Attached is a copy of the recently completed Compliance Inspection Report for the referenced consecutive system. Deficiencies found with the system, if any, are listed on this report. Listed deficiencies are violations of Florida Administrative Code and must be corrected in order to avoid formal enforcement action.

If any deficiencies are listed, please have them corrected within twenty (20) days of the date of this letter. For those deficiencies that cannot be corrected within this time frame, provide this office with a written schedule for correction within this same time frame.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry W. Ma".

Jerry W. Ma, P.E.  
Professional Engineer

JWM/ahs  
Enclosure  
Cc: Terry Kelsey



Environmental Engineering Division  
60 Danley Drive, Unit 1 • Fort Myers, FL • 33907  
Phone: 239-274-2200 • Fax: 239-274-2201  
[www.leechd.com](http://www.leechd.com)



Compliance Inspection Form – Consecutive Systems

BASIC INSPECTION AND SYSTEM INFORMATION

Water system: TAMIAMI VILLAGE System PWS#: 5364151 Date of inspection: 05/13/09  
 System address: 16371 NORTH CLEVELAND AVE City NORTH FORT MYERS State FL Zip 33917  
 System phone: 7278630205 Contact: JOHN WITTENZELNER  
 Fax number: 7278695913 Email: J.WITTENZELNER@FLAKI.DAUTILITY.COM  
 Owner name: NI FLORIDA Owner title: \_\_\_\_\_  
 Owner address: 13825 US HIGHWAY 19 SUITE 301 (mailing) City: HUDSON State FL Zip 34667  
 Owner phone: 7278630205 Cell: \_\_\_\_\_  
 Fax number: 7278695913 Email: \_\_\_\_\_  
 Operator required?  Yes  No (If "No", Operator sections not applicable) Operator name: TERRY KELSEY  
 Operator Email T.KELSEY@FLORIDAUTILITY.COM Phone 7278630205 Fax: 7278695913  
 S=Satisfactory U=Unsatisfactory --=Not Applicable \*=See comment below

SOURCE

PWS Name of supplier: Lee County Utilities  
 PWS number of supplier: 5364048  
 Chlorine residual at entry point: 4.0 mg/L  
 Comment: \_\_\_\_\_

Water system map compliant?	Yes
Flushing of dead ends compliant?	Yes
Valve maintenance compliant?	Yes
Chlorine residual > 0.2 mg/L	Yes
Number of high service pumps?	N/A
High service pumps functional?	N/A
CCC devices tested annually?	Yes
Flow meter accuracy checked?	Yes
Emergency Preparedness Plan?	Yes
Permits in use without clearance?	Yes
Operator visits compliant?	Yes
Plant checked 5 times per week?	Yes
MORs submittal compliant?	Yes

TREATMENT

Plant number	Comment
O & M manual compliant?	
Cl storage compliant (no organics/addition)	
Spare chlorinator compliant?	
Loss of chlorine alarm compliant?	
Treated sample tap provided?	
Security measures compliant?	

FIELD COPY TO LAST INSPECTION (SEE REVEY)

Last inspection fully compliant?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (see below)
Number of deficiencies last cited?	N/A
Were any of the deficiencies "repeat"?	N/A
Response from system submitted?	N/A
Have deficiencies been addressed?	N/A

STORAGE

HYP Cl solution NSF approved?	
Solution vat compliant? (covered/elec)	
Safety: (Gloves/Apron/Eyewash/etc)	
GAS Cl room compliant? (separate/ventilation)	
Scales compliant?	
Auto switchover provided?	
Safety: (SCBA/Gloves/Annunciator/Panic IN)	
OTHER Aeration	
pH adjustment	
Orthophosphate	
Other:	
Tank Number	
Inspections compliant? (annual/5yr)	
Overflow/Vents compliant? (elevated)	
Pressure relief valve provided? (hydro)	
Security measures compliant?	

MONITORING SCHEDULE		
CHEMICAL	ANALYSIS DATE	NEXT DUE
Nitrate/Nitrite	-	-
Inorganics	-	-
Lead and Copper	-	09/09
TTHM/HAA5 annual	-	-
VOCs	-	-
SOCs	-	-
Rads	-	-
Secondaries	-	-
UOCs	-	-
Asbestos	-	-

COMMENTS

FIELD SAMPLING RESULTS	Alter Meter Cl (mg/L) pH	PalmCity Broker 4.0 mg/L - 9.2 9071 Flamingo Circle 4.4 mg/L - 9.2 Flamingo Star Hall 3.7 mg/L - 9.2	pH & Pressure	PalmCity Brokers -55psi
COMMENTS				



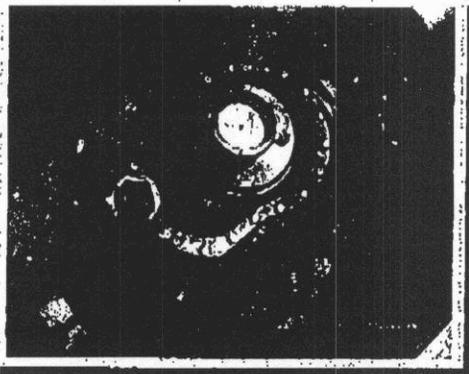
DEFICIENCIES

BFP shutoff valve is dripping, needs to be repaired. (see picture 1)

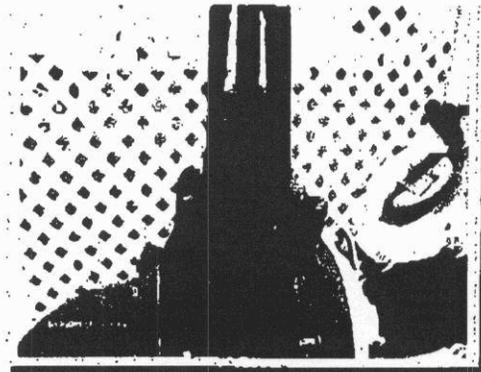
62-555.350 Operation and Maintenance of Public Water Systems.

(2) Suppliers of water shall keep all necessary public water system components in operation and shall maintain such components in good operating condition so the components function as intended. Preventive maintenance on electrical or mechanical equipment – including exercising of auxiliary power sources, checking the calibration of finished-drinking-water meters at treatment plants, testing of air or pressure relief valves for hydropneumatic tanks, and exercising of isolation valves – shall be performed in accordance with the equipment manufacturer's recommendations or in accordance with a written preventive maintenance program established by the supplier of water; however, in no case shall auxiliary power sources be run under load less frequently than monthly. Accumulated sludge and biogrowths shall be cleaned routinely (i.e., at least annually) from all treatment facilities that are in contact with raw, partially treated, or finished drinking water and that are not specifically designed to collect sludge or support a biogrowth; and blistering, chipped, or cracked coatings and linings on treatment or storage facilities in contact with raw, partially treated, or finished drinking water shall be rehabilitated or repaired. Finished-drinking-water storage tanks, including conventional hydropneumatic tanks with an access manhole but excluding bladder- or diaphragm-type hydropneumatic tanks without an access manhole, shall be checked at least annually to ensure that hatches are closed and screens are in place; shall be cleaned at least once every five years to remove biogrowths, calcium or iron/manganese deposits, and sludge from inside the tanks; and shall be inspected for structural and coating integrity at least once every five years by personnel under the responsible charge of a professional engineer licensed in Florida. Dead-end water mains conveying finished drinking water shall be flushed quarterly or in accordance with a written flushing program established by the supplier of water; additionally, dead-end or other water mains conveying finished water shall be flushed as necessary whenever legitimate water quality complaints are received.

DIGITAL PHOTOS



Meter



BFP Valve (Picture 1)



BFP valve (Picture 2)

INSPECTOR'S SIGNATURE ALLEN TITLE ENG-I DATE: May 13, 2009

REVIEWED BY [Signature] TITLE PE II DATE: May 13, 2009





June 2, 2009

Jerry W. Ma, P.E.  
Environmental Engineering Division  
Lee County Health Department  
60 Danley Drive Unit 1  
Ft. Myers, FL 33907

Re: Tamiami Village Mobile Home Park  
PWS ID No. 5364151

Dear Mr. Ma:

In response to the Compliance Inspection Report dated May 15, 2009, please find the following:

The BFP shutoff valve has been repaired and is no longer dripping. This deficiency was corrected on May 30, 2009.

We are currently working with the system owners and park maintenance to complete and implement an enhanced "Preventative Maintenance Program". Our efforts will include locating previously installed isolation valves, cleaning existing valve boxes, locating/installing blow-off valves and preparing and implementing a valve exercising and a flushing plan. It is expected that we should gather the necessary information to complete this plan over the next few months. Upon completion, both plans will be submitted to your office for review. It is expected that the plans should be submitted for review during the last quarter of 2009.

Thank you for your observations and if you have any questions concerning the items discussed above or if anything further is needed at this time, please feel free to contact our office anytime.

Sincerely,  
*Jenny Jernigan*  
Compliance Officer

13825 US Highway 19, Suite 301, Hudson, FL 34667  
Phone: 727-863-0205 Fax: 727-869-5913  
FloridaUtility.com

**Ni Florida, LLC - Tamiami  
Rate Case Fees and Costs  
Actual thru September 30, 2010 and Estimated**

**Tangibl, LLC**

Actual Fees and Costs incurred through September 30, 2010	\$ 25,330.00	
Estimated Fees and Costs to be incurred through completion	<u>9,670.00</u>	See attached estimate
<b>Total Tangibl, LLC</b>	<b><u>\$ 35,000.00</u></b>	

**Rose, Sundstrom & Bentley, LLP**

Actual Fees and Costs incurred through September 30, 2010	\$ 31,073.07	
Estimated Fees and Costs to be incurred through completion	<u>11,940.00</u>	See attached estimate
<b>Total Rose, Sundstrom &amp; Bentley, LLP</b>	<b><u>\$ 43,013.07</u></b>	

**Key Engineering Associates, Inc.**

Actual Fees and Costs incurred through September 30, 2010	\$ 420.97	
Estimated Fees and Costs to be incurred through completion	<u>-</u>	
<b>Total Key Engineering Associates, Inc.</b>	<b><u>\$ 420.97</u></b>	

**Florida Utility Group - Customer Mailings**

Estimated Fees and Costs to be incurred for customer mailings	<u>\$ 6,804.00</u>	3 Mailings @ \$3 for 756
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**TOTAL DEFERRED RATE CASE EXPENSES - NI FLORIDA - TAMIAMI**

Actual Fees and Costs incurred through September 30, 2010	\$ 56,824.04	
Estimated Fees and Costs to be incurred through completion	<u>28,414.00</u>	
<b>TOTAL</b>	<b><u>\$ 85,238.04</u></b>	

**Ni Florida, LLC - Tamiami  
Deferred Rate Case Expenses  
Project-to-Date September 30, 2010**

**Tangibl, LLC**

<u>Person</u>	<u>Invoice #</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>	<u>Description of Work</u>
Donald J. Clayton	40-33312.01	Lump Sum Quote		\$ 10,000.00	Rate case preparation
Donald J. Clayton	40-33312.02	Lump Sum Quote		15,000.00	Rate case preparation
Donald J. Clayton	40-33301.11	2.0	\$ 165.00	330.00	Preparation of responses to FPSC data requests
<b>Total Tangibl, LLC</b>				<b>\$ 25,330.00</b>	

**Rose, Sundstrom & Bentley, LLP**

<u>Person</u>	<u>Invoice #</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>	<u>Description of Work</u>
Martin Friedman	42154	1.3	\$ 330.00	\$ 429.00	Legal services-rate case
	42154			21.71	Expenses
Christian Marcelli	42664	4.9	\$ 305.00	1,494.50	Legal services-rate case
	42664			24.81	Expenses
Martin Friedman	42869	1.3	\$ 330.00	429.00	Legal services-rate case
Christian Marcelli	42869	12.2	\$ 305.00	3,721.00	Legal services-rate case
	42869			2,849.71	Expenses/Filing Fee
Martin Friedman	43096	0.8	\$ 330.00	264.00	Legal services-rate case
Christian Marcelli	43096	7.8	\$ 305.00	2,379.00	Legal services-rate case
	43096			68.74	Expenses/Filing Fee
Martin Friedman	43318	9.7	\$ 330.00	3,201.00	Legal services-rate case
Christian Marcelli	43318	15.9	\$ 305.00	4,849.50	Legal services-rate case
	43318			44.75	Expenses
Martin Friedman	43540	0.2	\$ 330.00	66.00	Legal services-rate case
Christian Marcelli	43540	17.6	\$ 305.00	5,368.00	Legal services-rate case
	43540			516.64	Expenses
Martin Friedman	Unbilled	0.3	\$ 330.00	99.00	Legal services-rate case
Christian Marcelli	Unbilled	16.0	\$ 305.00	4,880.00	Legal services-rate case
	Unbilled			366.71	Expenses
<b>Total Rose, Sundstrom &amp; Bentley, LLP</b>				<b>\$ 31,073.07</b>	

**Key Engineering Associates, Inc.**

<u>Person</u>	<u>Invoice #</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>	<u>Description of Work</u>
Keith Bachmann	10-067B	2.0	\$ 135.00	\$ 270.00	Mapping for Rate Case
	10-067B			150.97	Expenses
<b>Total Key Engineering Associates, Inc.</b>				<b>\$ 420.97</b>	

**TOTAL** **\$ 56,824.04**

Tangible Estimate to complete case  
Docket No. 100149-WU  
As of August 18, 2010

<u>Hours</u>	<u>Description</u>
24.0	Respond to formal and informal Interrogatories from Staff.
18.0	Respond to Audit Staff's requests for information;
8.0	Review audit report and conference with client to discuss audit report and assist with the preparation of the response to audit report.
4.0	Review Staff recommendation; conference with client and attorneys regarding recommendation.
4.0	Review PAA Order; conference with client and attorneys regarding PAA Order.
<u>58.0</u>	@ \$165/hour= \$9,570

Other costs

Fedex mailings      4 @ \$25/mailling = \$100



301 Oxford Valley Rd / Suite 1604 / Yardley, Pennsylvania 19067-7706  
TEL 215.369.9245 / FAX 215.369.9344 / www.tangibl.com

**COPY**

**INVOICE**

**SOLD TO:** Ni Florida LLC  
10913 Metronome Drive  
Houston, TX 77043

**DATE:** May 7, 2010  
**INVOICE #:** 40-33312.01  
**TERMS:** Net 30 days

**ATTENTION:** Ms. Carey Thomas

**FORM OF CONTRACT:** Verbal NTP

**REQUESTED BY:** Ed Wallace

**PROJECT:** Tamiami Base Rate Case

**SCOPE OF SERVICES:** Preparation of base rate case for 2010.

**PROFESSIONAL SERVICES**

**TIME PERIOD: 04/01/10 TO 04/30/10**

	<u>AMOUNTS</u>
Lump Sum Quote	\$25,000.00
Previous Amount Billed	\$0.00
Amount Due This Month	\$10,000.00
Remaining Amount	\$15,000.00

**TOTAL AMOUNT DUE THIS INVOICE:** \$10,000.00



301 Oxford Valley Rd / Suite 1604 / Yardley, Pennsylvania 19047-7706  
TEL 215.269.9348 / FAX 215.369.9344 / www.tangibl.com

# INVOICE

SOLD TO: Ni Florida LLC  
10913 Metronome Drive  
Houston, TX 77043

DATE: June 4, 2010  
INVOICE #: 40-33312.02  
TERMS: Net 30 days

ATTENTION: Ms. Carey Thomas

FORM OF CONTRACT: Verbal NTP

REQUESTED BY: Ed Wallace

PROJECT: Tamiami Base Rate Case ✓

**received**  
6-1-2010  
QBdct

SCOPE OF SERVICES: Preparation of base rate case for 2010.

### PROFESSIONAL SERVICES

TIME PERIOD: 06/01/10 TO 06/31/10

	<u>AMOUNTS</u>
Lump Sum Quote	\$25,000.00
Previous Amount Billed	\$10,000.00
Amount Due This Month	\$15,000.00
Remaining Amount	\$0.00

TOTAL AMOUNT DUE THIS INVOICE: \$15,000.00

R2ST  
6/1/10

Deferred Rate Case Exp. - Water  
186.1.b



301 Oxford Valley Rd / Suite 1604 / Yardley, Pennsylvania 19067-7706  
TEL 215.369.9345 / FAX 215.369.9344 / www.tangibl.com

received  
7-12-10

276

# INVOICE

**SOLD TO:** Ni America  
10913 Metronome Drive  
Houston, TX 77043

**DATE:** July 2, 2010  
**INVOICE #:** 40-33301.11  
**TERMS:** Net 30 Days

**ATTENTION:** Carey Thomas

**FORM OF CONTRACT:** Verbal

**REQUESTED BY:** Mr. Ed Wallace

**PROJECT:** Various Professional Services

**SCOPE OF SERVICES:** Preparation of responses to PSC data requests for Tamiami Base Rate Case.

**PROFESSIONAL SERVICES**

**TERM:** 06/01/10 THROUGH 06/30/10

**LABOR:**

<u>HOURS</u>	<u>CLASSIFICATION</u>	<u>AMOUNTS</u>
2	Principal - @ \$165 DJC = Donald J. Clayton	\$330.00

**SUBTOTAL:** \$330.00

**TOTAL AMOUNT DUE THIS INVOICE:** \$330.00

POSTED  
7/13/10

@Bdak 6/30/10

145.12 Accts. Rec. from  
Tamiami Village  
Inv30-01 (revised 02/01) Water

ACTUAL FEES TO DATE

<u>Hours</u>	<u>Fees</u>	<u>Description</u>
71.7	\$22,201.00	Total hours and fees billed through 9/30/2010, see invoices for description
<u>16.3</u>	<u>\$ 4,979.00</u>	<u>Unbilled hours through date of filing, see attached description</u>
88.0	\$27,180.00	Total actual fees to date

ESTIMATE TO COMPLETE RATE CASE THROUGH PAA ORDER

<u>Hours</u>	<u>Description</u>
10.0	Respond to formal data requests from Staff and informal requests for information from Staff; Review customer correspondence to Commissioners
2.0	Review Staff recommendation; conference with client and consultant regarding recommendation; conference with Staff regarding recommendation
15.0	Prepare for and attend Agenda conference; discuss Agenda with client and Staff
2.0	Review PAA Order; Conference with client and consultant regarding PAA Order
5.0	Prepare revised tariff sheets; Obtain Staff approval of tariffs; Draft and revise customer notice; Obtain Staff approval of notice; Coordinate mailing of notices and implementation of tariffs; Obtain release of interim rate security; Coordinate post-Order filing requirements including 60 day rate case expense update.
34.0	@ \$330/hour = \$11,220.00 estimate to complete

COSTS

\$3,893.07	Total actual expenses to date, including filing fee, long distance, copier, Fedex, and travel
\$ 500.00	estimated travel and accommodations to attend Agenda Conference (\$260 mileage; \$175 lodging; \$55 meals; \$10 tolls)
\$ 100.00	estimated photocopier costs
\$ 60.00	estimated long distance telephone costs
<u>\$ 60.00</u>	<u>estimated courier costs</u>
\$4,613.07	Total estimated and actual costs

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**

P.O. BOX 1587  
TALLAHASSEE, FLORIDA 32302-1587

F.E.I.# 59-2783536

(850) 877-8595

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC  
CAVIO LOMBARDI  
10913 METRONOME  
HOUSTON, TX 77943-2201

APRIL 9, 2010  
INVOICE # 42154  
FILE # 43053-00004  
PAGE 1

Q13

MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

3/11/10	CONFERENCE CALL WITH BENNY, ED, NATHAN AND DON REGARDING UPCOMING RATE FILING; BEGIN RESEARCH AND DRAFT OF TEST YEAR LETTER	1.10
3/18/10	REVIEW CORRESPONDENCE AND PRO FORMAS FROM MR. WILKINSON AND REVISE TEST YEAR LETTER ACCORDINGLY	.20

TOTAL HOURS 1.30

PROFESSIONAL FEES \$ 429.00

FEDERAL EXPRESS 18.46  
PHOTOCOPIES 3.25

TOTAL COSTS ADVANCED \$ 21.71

TOTAL STATEMENT \$ 450.71

**POSTED**  
5/12/10  
9

**POSTED**  
5/12/10  
9

*Prepared -  
Tamara - OK / B*

LAW OFFICES  
ROSE, SUNDRUM & BENTLEY, LLP  
P.O. BOX 1667  
TALLAHASSEE, FLORIDA 32302-1567

received  
6-14-10

F.E.I.# 50-2783538

(850) 877-6555

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC  
BENNY WILKINSON  
10913 METRONOME  
HOUSTON, TX 77943-2201

JUNE 10, 2010 *OSdote*  
INVOICE # 42664  
FILE # 43053-00004  
PAGE 1

MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

*Amiami*

4/30/10	DRAFT APPLICATION FOR INCREASE IN RATES; PREPARE DRAFTS OF PROPOSED TARIFF SHEETS AND SUPPORTING DOCUMENTATION.	1.60
5/12/10	REVIEW CORRESPONDENCE FROM CONSULTANT REGARDING STATUS OF MFRS; DRAFT APPLICATION AND SUPPORTING AFFIDAVITS FOR RATE CASE; DRAFT CORRESPONDENCE TO CLIENT REGARDING AFFIDAVITS.	2.50
5/13/10	REVIEW CORRESPONDENCE FROM CLIENT REGARDING AFFIDAVIT OF UTILITY OFFICER; REVIEW AND REVISE APPLICATION IN LIGHT OF SAME.	.50
5/17/10	REVIEW CORRESPONDENCE FROM DON CLAYTON REGARDING CLASS B MFRS; DRAFT CORRESPONDENCE TO CONSULTANT REGARDING SAME.	.30

TOTAL HOURS 4.90

PROFESSIONAL FEES \$ 1,494.50

FEDERAL EXPRESS 24.81

TOTAL COSTS ADVANCED \$ 24.81

TOTAL STATEMENT \$ 1,519.31

POSTED  
6/22/10

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**

P.O. BOX 1687  
TALLAHASSEE, FLORIDA 32302-1687

(850) 877-6655

receive  
7-19-10

F.E.I.# 58-2783536

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC  
BENNY WILKINSON  
10913 METRONOME  
HOUSTON, TX 77943-2201

POSTED  
7/14/10

JULY 14, 2010  
INVOICE # 42869  
FILE # 43053-00004  
PAGE 1

MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

6/16/10	INITIAL REVIEW OF MFRS; REVIEW AND COMMENT UPON PROPOSED APPLICATION	.60
6/16/10	DRAFT APPLICATION FOR INCREASE IN WATER RATES; REVIEW CORRESPONDENCE FROM DON CLAYTON REGARDING MFRS; REVIEW MFR SCHEDULES AND SUPPORTING INFORMATION; DRAFT INTERIM AND FINAL TARIFF SHEETS; PREPARE AFFIDAVITS FOR INCLUSION WITH APPLICATION; DRAFT CORRESPONDENCE TO DON CLAYTON REGARDING SAME; REVIEW CORRESPONDENCE FROM DON CLAYTON REGARDING REVISIONS TO MFRS.	2.80
6/17/10	REVIEW AND REVISE APPLICATION FOR INCREASE IN WATER RATES; CONTINUED REVIEW AND MARKUP OF MFR SCHEDULES; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM DON CLAYTON REGARDING MFRS; DRAFT LATE FEE AND NSF CHARGE TARIFFS; REVISE APPLICATION TO INCLUDE COST JUSTIFICATION FOR MISCELLANEOUS SERVICE CHARGES, NSF FEES AND LATE FEES; RESEARCH LOCATION OF LIBRARY IN SERVICE TERRITORY; DRAFT CORRESPONDENCE TO CLIENT REGARDING LOCATION OF OFFICE IN SERVICE TERRITORY (OFFICE IS ONLY IN PASCO); CONTINUED PREPARATION OF MFRS FOR REPRODUCTION.	3.30
6/18/10	REVIEW AND REVISE MFR SCHEDULES; REVIEW CORRESPONDENCE FROM DON CLAYTON REGARDING REVISIONS TO MFRS; DRAFT CORRESPONDENCE TO DON CLAYTON REGARDING SAME.	1.00
6/18/10	REVIEW CORRESPONDENCE FROM CLIENT REGARDING CUSTOMER COMPLAINT FILES; REVIEW COMPLAINT FILES; PREPARE COMPLAINT FILES FOR FILING WITH ADDITIONAL ENGINEERING INFORMATION; LEGAL RESEARCH REGARDING INCREASING FIRE SERVICE RATES; DRAFT CORRESPONDENCE TO DON CLAYTON REGARDING SAME.	1.10
6/20/10	REVIEW AND COMMENT UPON APPLICATION AND MFR'S.	.30

145.12

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**  
P.O. BOX 1587  
TALLAHASSEE, FLORIDA 32302-1567

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NI FLORIDA, LLC

Invoice #: 42869

PAGE 2

6/21/10	REVIEW AND REVISE APPLICATION, MFRS AND ADDITIONAL ENGINEERING INFORMATION; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING FILING OF SAME; PREPARE ALL DOCUMENTS FOR FILING WITH PSC CLERK.	4.00
6/23/10	TELEPHONE CONFERENCE WITH MR. FLETCHER WHO TELEPHONED REGARDING INTERIM RATE AGENDA AND LETTER TO MR. WALLACE AND MR. WILKINSON; DRAFT WAIVER LETTER	.40

TOTAL HOURS 13.50

PROFESSIONAL FEES \$ 4,150.00

FILING FEE 2,000.00  
PHOTOCOPIES 261.75  
LONG DISTANCE CALLS .20  
OUTSIDE PHOTOCOPIES 587.76

TOTAL COSTS ADVANCED \$ 2,849.71

TOTAL STATEMENT \$ 6,999.71

OKF EG

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**  
2518 BLAIRSTONE PINES DR  
TALLAHASSEE, FLORIDA 32301

F.E.I.# 50-2763536

(850) 677-6555

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

QB 7/31/10

NI FLORIDA, LLC  
BENNY WILKINSON  
10913 METRONOME  
HOUSTON, TX 77943-2201

AUGUST 10, 2010  
INVOICE # 43096  
FILE # 43053-00004  
PAGE 1

MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

7/23/10	REVIEW STAFF'S DEFICIENCY LETTER; DRAFT CORRESPONDENCE TO CLIENT REGARDING DEFICIENCY LETTER.	.20
7/23/10	REVIEW STAFF'S FIRST DATA REQUEST; REVIEW MFRS IN LIGHT OF QUERIES IN DATA REQUEST; DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANT REGARDING RESPONSE TO STAFF'S FIRST DATA REQUEST.	.50
7/26/10	REVIEW MFR SCHEDULES IN LIGHT OF STAFF'S DEFICIENCY LETTER; REVIEW 2009 ANNUAL REPORT; TELEPHONE CONFERENCE WITH DON CLAYTON REGARDING RESPONSE TO DEFICIENCIES; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT AND CONSULTANT REGARDING DEFICIENCY LETTER ISSUES; REVIEW REVISED TARIFF SHEETS IN RESPONSE TO DEFICIENCY LETTER.	1.80
7/27/10	REVIEW DEFICIENCY LETTER AND DATA REQUEST AND CONFERENCE CALL REGARDING SAME	.80
7/27/10	TELEPHONE CONFERENCE WITH CLIENT AND CONSULTANT REGARDING RESPONSE TO DEFICIENCY LETTER; REVIEW MFRS AND DEFICIENCY LETTER; DRAFT RESPONSE TO STAFF'S DEFICIENCY LETTER; REVIEW CORRESPONDENCE FROM AND DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANT REGARDING RESPONSES TO STAFF'S DEFICIENCY LETTER; REVIEW REVISED SCHEDULES IN RESPONSE TO DEFICIENCY LETTER.	3.60
7/28/10	REVIEW AND REVISE RESPONSE TO STAFF'S DEFICIENCY NOTICE; DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANT REGARDING SAME; TELEPHONE CONFERENCE WITH CLIENT REGARDING SAME; PREPARE DOCUMENTS FOR FILING WITH PSC CLERK'S E-FILING SYSTEM.	1.70
	TOTAL HOURS	8.60

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**

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Invoice #: 43096

PAGE 2

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PROFESSIONAL FEES \$ 2,643.00

FEDERAL EXPRESS 56.99  
PHOTOCOPIES 11.75

TOTAL COSTS ADVANCED \$ 68.74

TOTAL STATEMENT \$ 2,711.74

Tamiami Rate Case  
OK to pay.  
BFW  
Deferred Rate Case Expense

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**  
2548 BLAIRSTONE PINES DR  
TALLAHASSEE, FLORIDA 32301

F.E.I.# 59-2783536

(850) 877-8555

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC  
BENNY WILKINSON  
10913 METRONOME  
HOUSTON, TX 77943-2201

SEPTEMBER 10, 2010  
INVOICE # 43318  
FILE # 43053-00004  
PAGE 1

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MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

8/05/10	REVIEW STAFF'S FIRST DATA REQUEST; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT REGARDING SAME; PREPARE ESTIMATE TO COMPLETE CASE IN RESPONSE TO DATA REQUEST.	.80
8/09/10	REVIEW STAFF'S FIRST DATA REQUEST REGARDING RATE CASE EXPENSE; REVIEW CORRESPONDENCE FROM CLIENT REGARDING SAME; PREPARE INVOICES AND TIME REPORTS; DRAFT ESTIMATE TO COMPLETE CASE; DRAFT CORRESPONDENCE TO CLIENT REGARDING RATE CASE EXPENSE QUERY IN STAFF'S FIRST DATA REQUEST.	1.50
8/10/10	REVIEW CORRESPONDENCE FROM STAFF REGARDING ENGINEERING INFORMATION AND CONTACT INFORMATION FOR OPERATIONS; DRAFT CORRESPONDENCE TO CLIENT REGARDING SAME; DRAFT CORRESPONDENCE TO STAFF REGARDING SAME; TELEPHONE CONFERENCE WITH STAFF REGARDING ENGINEERING INFORMATION, LOCATION OF FIELD STAFF AND WATER TREATMENT PLANT ISSUES (PURCHASED WATER - NO WTP).	.70
8/10/10	RESEARCH AND REVIEW MFR DATA IN PREPARATION FOR DRAFTING INITIAL CUSTOMER NOTICE; DRAFT INITIAL CUSTOMER NOTICE; DRAFT CORRESPONDENCE TO JARED DEASON OF PSC STAFF REGARDING DEADLINE TO MAIL INITIAL CUSTOMER NOTICE AND COMMENTS AND REVISIONS ON NOTICE.	1.10
8/16/10	REVIEW CORRESPONDENCE FROM STAFF REGARDING THE UTILITY'S OPERATIONS CONTACT; TELEPHONE CONFERENCE WITH JAY WILLIAMS OF PSC STAFF; TELEPHONE CONFERENCE WITH CLIENT REGARDING SAME; DRAFT CORRESPONDENCE TO CLIENT REGARDING JOHN WITTENZELLNER AS THE OPERATIONAL CONTACT FOR STAFF'S ENGINEERS.	.60
8/17/10	REVIEW CORRESPONDENCE FROM CLIENT REGARDING DRAFT RESPONSES TO STAFF'S FIRST DATA REQUEST; REVIEW AND REVISE PROPOSED RESPONSES; REVIEW AND REVISE	1.10

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LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**

P.O. BOX 1667  
TALLAHASSEE, FLORIDA 32302-1667

F.E.I.# 69-2783596

(850) 877-6655

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC

Invoice #: 43318

PAGE 2

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8/18/10	CORRESPONDENCE TO PSC CLERK REGARDING SAME. DRAFT RESPONSE TO STAFF'S FIRST DATA REQUEST; REVIEW PROPOSED ANSWERS FROM CLIENT; REVISE PROPOSED ANSWERS; DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANT REGARDING RESPONSE; REVIEW AND REVISE ESTIMATE TO COMPLETE CASE; REVIEW ACTUAL BILLING IN PREVIOUS RATE CASE TO REVISE ESTIMATE IN CURRENT RATE CASE; DRAFT CORRESPONDENCE TO DON CLAYTON REGARDING SUPPORT FOR BAD DEBT EXPENSE.	1.20
8/19/10	REVIEW STAFF RECOMMENDATION AND LETTER TO CLIENT CONCERNING SAME	.40
8/23/10	REVIEW CORRESPONDENCE FROM CLIENT REGARDING PROPOSED RESPONSES TO STAFF'S AUDIT REPORT; REVIEW PROPOSED RESPONSES; DRAFT CORRESPONDENCE TO CLIENT ADVISING ON PROPOSED RESPONSES; REVIEW PROPOSED RESPONSES TO STAFF'S FIRST DATA REQUEST; PREPARE CORRESPONDING RESPONDING TO STAFF'S FIRST DATA REQUEST.	1.80
8/24/10	DRAFT REQUEST FOR APPROVAL OF LATE FEES AND NSF CHECK CHARGES; LEGAL RESEARCH REGARDING APPROVAL OF LATE FEES AND CHECK FEES; PREPARE LEGAL CITATIONS IN SUPPORT OF REQUEST; DRAFT REVISED TARIFF SHEETS FOR LATE FEES AND NSF CHECK CHARGES; PREPARE AND FILE REQUEST AND SUPPORTING DOCUMENTS WITH PSC CLERK'S E-FILING SYSTEM.	2.20
8/26/10	REVIEW MFRS, PAST RATE CASE ORDERS, APPLICATION AND STAFF RECOMMENDATION IN PREPARATION FOR DRAFTING RATE CASE SYNOPSIS; DRAFT RATE CASE SYNOPSIS; DRAFT CORRESPONDENCE TO JARED DEASON OF PSC STAFF REGARDING SAME; TELEPHONE CONFERENCE WITH JARED DEASON REGARDING COMMENTS AND REVISIONS TO SYNOPSIS; REVIEW AND REVISE SYNOPSIS; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM JARED DEASON REGARDING APPROVAL OF RATE CASE SYNOPSIS; DRAFT CORRESPONDENCE TO COUNTY MANAGER AND LIBRARIAN REGARDING RATE CASE SYNOPSIS.	2.60
8/30/10	TRAVEL TO TALLAHASSEE FOR PSC AGENDA	4.00
8/31/10	PREPARE FOR AND ATTEND PUBLIC SERVICE COMMISSION AGENDA AND REPORT OUTCOME TO CLIENT AND RETURN TO	5.30

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**

P.O. BOX 1507  
TALLAHASSEE, FLORIDA 32302-1507

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(888) 877-6555

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC

Invoice #: 43318

PAGE 3

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8/31/10	CENTRAL FLORIDA DRAFT CORRESPONDENCE TO CLIENT REGARDING APPROVAL OF INTERIM RATES; DRAFT REVISED INTERIM RATE TARIFF SHEETS; DRAFT CUSTOMER NOTICE OF INTERIM RATE INCREASE; DRAFT CORRESPONDENCE TO JARED DEASON OF PSC STAFF REGARDING REVIEW AND APPROVAL OF CUSTOMER NOTICE AND TARIFF SHEETS; DRAFT CORRESPONDENCE TO CLIENT REGARDING ESCROW AGREEMENT; REVIEW AND UPDATE ESCROW AGREEMENT ON FILE FOR CURRENT RATE CASE; DRAFT CORRESPONDENCE TO STAFF REGARDING REVIEW AND APPROVAL OF ESCROW AGREEMENT; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT REGARDING INTERIM RATES AND ESCROW AGREEMENT.	2.30
	TOTAL HOURS	25.60
	PROFESSIONAL FEES	\$ 8,050.50
	PHOTOCOPIES	44.75
	TOTAL COSTS ADVANCED	\$ 44.75
	TOTAL STATEMENT	----- \$ 8,095.25 -----

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**  
2349 BLAIRSTONE PINES DR  
TALLAHASSEE, FLORIDA 32301

F.E.I.# 69-2783536

(850) 877-8668

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC  
BENNY WILKINSON  
10913 METRONOME  
HOUSTON, TX 77943-2201

OCTOBER 12, 2010  
INVOICE # 43540  
FILE # 43053-00004  
PAGE 1

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MATTER: 12/31/09 TY RATE CASE - LEE COUNTY

9/01/10	DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM JARED DEASON OF PSC STAFF REGARDING REVIEW AND APPROVAL OF CUSTOMER NOTICE; TELEPHONE CONFERENCE WITH JARED DEASON REGARDING SAME; REVIEW AND REVIEW CUSTOMER NOTICE IN ACCORDANCE WITH STAFF'S REVISIONS; RESUBMIT SAME FOR STAFF APPROVAL.	.40
9/07/10	REVIEW CORRESPONDENCE FROM JARED DEASON OF PSC STAFF REGARDING REVIEW AND APPROVAL OF CUSTOMER NOTICE AND NOTICE OF CUSTOMER MEETING; DRAFT CORRESPONDENCE TO BENNY WILKINSON AND DAVID DILENA (FUG) REGARDING MAILING OF NOTICES; DRAFT AFFIDAVIT OF MAILING REGARDING CUSTOMER NOTICES.	.60
9/08/10	DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM DAVID DILENA REGARDING RATE CASE NOTICES AND AFFIDAVIT OF MAILING.	.20
9/09/10	REVIEW CORRESPONDENCE FROM DAVID DILENA REGARDING RATE CASE NOTICES AND AFFIDAVIT OF MAILING.	.20
9/14/10	REVIEW STAFF'S SECOND DATA REQUEST; DRAFT CORRESPONDENCE TO CLIENT REGARDING SAME; DRAFT PROPOSED RESPONSE TO MISCELLANEOUS SERVICE CHARGE QUERIES; RESEARCH COST JUSTIFICATION FOR MISCELLANEOUS SERVICE CHARGES.	1.00
9/15/10	REVIEW INTERIM RATE ORDER; REVIEW AND REVISE NOTICE OF INTERIM RATES IN ACCORDANCE WITH STAFF COMMENT; REVIEW AND REVISE ESCROW AGREEMENT IN LIGHT OF STAFF COMMENTS; DRAFT CORRESPONDENCE TO CLIENT REGARDING INTERIM RATE ORDER AND APPROVED NOTICE OF INTERIM RATES; DRAFT AFFIDAVIT OF MAILING REGARDING SAME.	.80
9/15/10	REVIEW CORRESPONDENCE FROM CONSULTANT REGARDING AFFIDAVIT OF MAILING FOR INITIAL CUSTOMER NOTICE AND NOTICE OF CUSTOMER MEETING; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING FILING OF	.40

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**

P.O. BOX 1507  
TALLAHASSEE, FLORIDA 32302-1507

(850) 877-8655

F.E.I.# 59-278353a

PLEASE REFER TO INVOICE NUMBER  
WHEN REMITTING

NI FLORIDA, LLC

Invoice #: 43540

PAGE 2

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9/16/10	SAME; PREPARE DOCUMENTS FOR FILING WITH PSC CLERK'S E-FILING SYSTEM. REVIEW CORRESPONDENCE FROM AND DRAFT CORRESPONDENCE TO CLIENT REGARDING AFFIDAVIT OF MAILING, ESCROW AGREEMENT AND CUSTOMER NOTICE ISSUES; REVIEW CORRESPONDENCE FROM AND DRAFT CORRESPONDENCE TO DAVID DILENA REGARDING MAILING OF NOTICE OF INTERIM RATES; REVIEW AFFIDAVIT OF MAILING FOR INITIAL CUSTOMER NOTICE AND NOTICE OF CUSTOMER MEETING; DRAFT NOTICE OF FILING; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING FILING OF SAME; PREPARE DOCUMENTS AND FILE WITH PSC CLERK'S E-FILING SYSTEM.	.80
9/17/10	REVIEW STAFF'S THIRD DATA REQUEST; REVIEW PSC TRANSFER ORDER; DRAFT CORRESPONDENCE TO CLIENT REGARDING SAME.	.50
9/20/10	TELEPHONE CONFERENCE WITH CLIENT REGARDING AUDIT REPORT RESPONSES, ESCROW ACCOUNT, NOTICE OF INTERIM RATES AND MISC. RATE CASE ISSUES; DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANT REGARDING MAILING OF NOTICE AND IMPLEMENTATION OF INTERIM RATES.	.40
9/21/10	DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT AND CONSULTANT REGARDING RESPONSE TO STAFF'S AUDIT REPORT; TELEPHONE CONFERENCE WITH BENNY WILKINSON REGARDING SAME; LEGAL RESEARCH REGARDING DEPRECIATION ISSUE AND TRANSFER COSTS.	.50
9/29/10	TRAVEL FORT MYERS AND ATTEND CUSTOMER MEETING.	7.60
9/30/10	REVIEW AND COMMENT UPON CUSTOMER MEETING COMMENTS	.20
9/30/10	TRAVEL FROM FORT MYERS AFTER ATTENDING CUSTOMER MEETING; DRAFT MEMORANDUM TO CLIENT AND CONSULTANT REGARDING CONTENT OF CUSTOMER MEETING; REVIEW CORRESPONDENCE FROM CLIENT REGARDING SAME.	4.20
	TOTAL HOURS	17.80

PROFESSIONAL FEES

\$ 5,434.00

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**

P.O. BOX 1587  
TALLAHASSEE, FLORIDA 32302-1587

F.E.J.# 59-2783536

(850) 877-6655

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WHEN REMITTING

NI FLORIDA, LLC

Invoice #: 43640

PAGE 3

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TRAVEL EXPENSE	470.14
PHOTOCOPIES	46.50
TOTAL COSTS ADVANCED	\$ 516.64

TOTAL STATEMENT	----- \$ 5,950.64 -----
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# Time Report

Unbilled

NI FLORIDA, LLC / 12/31/09 TY RATE CASE - LEE COUNTY (43053-4)

11/08/2010

Date	SM/Task	Attorney Name	Rate	Hours	Amount	Rev Hrs	Rev Amt	Service	Activity	Status
10/04/2010	0046	CHRISTIAN W MARCELLI	A	0.70	213.50	0.70	213.50	10000	REVIEW CORRESPONDENCE FROM CONSULTANT REGARDING PROPOSED RESPONSES TO STAFF'S SECOND AND THIRD DATA REQUESTS; REVIEW AND REVISE DRAFT OF RESPONSE TO PSC IN LIGHT OF SAME; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT REGARDING CUSTOMER MEETING ISSUES.	Unbilled
10/11/2010	0003	MARTIN S FRIEDMAN	A	0.30	99.00	0.30	99.00	10000	REVIEW AND COMMENT UPON PROPOSED RESPONSES TO STAFF'S SECOND DATA REQUEST	Unbilled
10/11/2010	0046	CHRISTIAN W MARCELLI	A	2.70	823.50	2.70	823.50	10000	REVIEW CORRESPONDENCE AND PROPOSED RESPONSES TO STAFF'S SECOND DATA REQUEST FROM CLIENT; REVIEW AND REVISE PROPOSED RESPONSES; DRAFT CORRESPONDING TO PSC CLERK RESPONDING TO STAFF'S SECOND DATA REQUEST; FINALIZE RESPONSE TO DATA REQUEST AND PREPARE DOCUMENTS AND EXHIBITS FOR FILING WITH PSC CLERK'S E-FILING SYSTEM.	Unbilled
10/12/2010	0046	CHRISTIAN W MARCELLI	A	0.80	244.00	0.80	244.00	10000	REVIEW CORRESPONDENCE FROM CLIENT REGARDING CUSTOMER MEETING; DRAFT CORRESPONDENCE TO CUSTOMER REGARDING CUSTOMER MEETING ISSUES; TELEPHONE CONFERENCE WITH BART FLETCHER OF PSC STAFF REGARDING STAFF'S POSITION ON RESERVE FUND ISSUE AND STAFF'S POSITION ON NOTICE FOR THE COMPANY'S INTERNAL CUSTOMER MEETING.	Unbilled
10/15/2010	0046	CHRISTIAN W MARCELLI	A	0.20	61.00	0.20	61.00	10000	REVIEW CORRESPONDENCE FROM CLIENT REGARDING ESCROW AGREEMENT; REVIEW ESCROW AGREEMENT.	Unbilled
10/15/2010	0046	CHRISTIAN W MARCELLI	A	1.20	366.00	1.20	366.00	10000	DRAFT RESPONSE TO STAFF'S THIRD DATA REQUEST; REVIEW CORRESPONDENCE FROM CLIENT REGARDING RESPONSES TO STAFF'S THIRD DATA REQUEST; REVIEW CORRESPONDENCE FROM CONSULTANT REGARDING SAME; REVIEW ATTACHMENTS PROVIDED BY CLIENT; PREPARE DOCUMENTS AND FILE WITH PSC CLERK'S E-FILING SYSTEM.	Unbilled
10/19/2010	0046	CHRISTIAN W MARCELLI	A	0.80	244.00	0.80	244.00	10000	REVIEW STAFF'S FOURTH DATA REQUEST; DRAFT CORRESPONDENCE TO STAFF REGARDING QUICK (ERRONEOUS?) DEADLINE FOR RESPONSE TO STAFF'S FOURTH DATA REQUEST; TELEPHONE CONFERENCE WITH BART FLETCHER REGARDING SAME; DRAFT CORRESPONDENCE TO CLIENT REGARDING STAFF'S FOURTH DATA REQUEST.	Unbilled
10/20/2010	0046	CHRISTIAN W MARCELLI	A	0.50	152.50	0.50	152.50	10000	TELEPHONE CONFERENCE WITH PSC STAFF REGARDING STATUS OF INTERIM RATES AND CUSTOMER NOTICE; REVIEW DOCKET AND FILE FOR OUTSTANDING ITEMS; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM DAVID DILENA OF FUG REGARDING CUSTOMER NOTICE AND AFFIDAVIT OF MAILING.	Unbilled
10/20/2010	0046	CHRISTIAN W MARCELLI	A	0.20	61.00	0.20	61.00	10000	REVIEW CORRESPONDENCE/COMPLAINT FROM CUSTOMER TO PSC; DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT REGARDING SAME.	Unbilled
10/21/2010	0046	CHRISTIAN W MARCELLI	A	1.30	396.50	1.30	396.50	10000	TELEPHONE CONFERENCE WITH CLIENT REGARDING WAIVER OF DEADLINE TO PROCESS CASE AND ISSUES TO BE ADDRESSED IN UPCOMING DATA REQUESTS; TELEPHONE CONFERENCE WITH JARED DEASON OF PSC STAFF REGARDING SAME; DRAFT CORRESPONDENCE TO STAFF REGARDING WAIVER; DRAFT CORRESPONDENCE TO PSC CLERK WAIVING DEADLINE TO PROCESS CASE.	Unbilled
10/25/2010	0046	CHRISTIAN W MARCELLI	A	0.50	152.50	0.50	152.50	10000		Unbilled

# Time Report

Unbilled

NI FLORIDA, LLC / 12/31/09 TY RATE CASE - LEE COUNTY (43053-4)

11/08/2010

Date	SM/Task	Attorney Name	Rate	Hours	Amount	Rev Hrs	Rev Amt	Service	Activity	Status
DRAFT CORRESPONDENCE TO FLORIDA UTILITY GROUP REGARDING CUSTOMER NOTICE AND AFFIDAVIT OF SERVICE TO BE FILED WITH PSC CLERK; REVIEW CORRESPONDENCE FROM FUG REGARDING SAME; REVIEW NOTICE AND AFFIDAVIT; DRAFT NOTICE OF FILING REGARDING SAME; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING FILING OF DOCUMENTS; PREPARE AND FILE DOCUMENTS WITH PSC CLERK'S E-FILING SYSTEM.										
10/26/2010	0046	CHRISTIAN W MARCELLI	A	0.80	244.00	0.80	244.00	10000		Unbilled
DRAFT CORRESPONDENCE TO COREY WITTENZELLNER REGARDING STATUS OF AFFIDAVIT AND CUSTOMER NOTICE; REVIEW CORRESPONDENCE REGARDING SAME; DRAFT NOTICE OF FILING REGARDING AFFIDAVIT; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING FILING; PREPARE AND FILE DOCUMENTS WITH PSC CLERK'S E-FILING SYSTEM.										
10/29/2010	0046	CHRISTIAN W MARCELLI	A	2.20	671.00	2.20	671.00	10000		Unbilled
REVIEW CORRESPONDENCE FROM CLIENT INCLUDING RESPONSES TO STAFF'S FOURTH DATA REQUEST; REVIEW PROPOSED RESPONSES; DRAFT CORRESPONDENCE TO CLIENT REGARDING PROPOSED RESPONSES; DRAFT CORRESPONDENCE TO PSC STAFF RESPONDING TO STAFF'S FOURTH DATA REQUEST; REVIEW STAFF'S FIFTH DATA REQUEST; DRAFT CORRESPONDENCE TO CLIENT AND CONSULTANTS REGARDING STAFF'S FIFTH DATA REQUEST; REVIEW STAFF'S ACKNOWLEDGMENT OF EXTENSION OF TIME.										
11/01/2010	0046	CHRISTIAN W MARCELLI	A	0.50	152.50	0.50	152.50	10000		Unbilled
REVIEW PROPOSED RESPONSE TO STAFF'S FOURTH DATA REQUEST FROM CLIENT; REVIEW AND REVISE RESPONSE TO STAFF'S FOURTH DATA REQUEST.										
11/02/2010	0046	CHRISTIAN W MARCELLI	A	0.80	244.00	0.80	244.00	10000		Unbilled
REVIEW CORRESPONDENCE AND ATTACHMENT FROM CLIENT DETAILING O&M EXPENSES AS REQUESTED BY STAFF; TELEPHONE CONFERENCE WITH CLIENT REGARDING O&M JUSTIFICATION; REVIEW PROPOSED CUSTOMER MEETING PRESENTATION FROM CLIENT; DRAFT CORRESPONDENCE TO CLIENT REGARDING PROPOSED REVISIONS TO PRESENTATION.										
11/03/2010	0046	CHRISTIAN W MARCELLI	A	1.00	305.00	1.00	305.00	10000		Unbilled
DRAFT CORRESPONDENCE TO AND REVIEW CORRESPONDENCE FROM CLIENT REGARDING RESPONSE TO STAFF'S FOURTH DATA REQUEST; REVIEW AND REVISE RESPONSE TO FOURTH DATA REQUEST IN LIGHT OF SAME; DRAFT CORRESPONDENCE TO PSC CLERK REGARDING RESPONSE; PREPARE DOCUMENTS AND FILE WITH PSC CLERK'S E-FILING SYSTEM.										
11/08/2010	0046	CHRISTIAN W MARCELLI	A	1.80	549.00	1.80	549.00	10000		Unbilled
REVIEW CORRESPONDENCE FROM CLIENT REGARDING PROPOSED RESPONSES TO STAFF'S FIFTH DATA REQUEST; PREPARE RESPONSE STAFF'S QUERY; DRAFT CORRESPONDENCE TO CLIENT REGARDING SAME; PREPARE CORRESPONDENCE AND SUPPORTING DOCUMENTATION FOR FILING WITH PSC CLERK'S E-FILING SYSTEM.										
<b>Report Totals:</b>				<b>16.30</b>	<b>4,979.00</b>	<b>16.30</b>	<b>4,979.00</b>			

# Cost Report

Billed and Unbilled

NI FLORIDA, LLC / 12/31/09 TY RATE CASE - LEE COUNTY (43053-4)

11/08/2010

Date	SM/Task	Service Code	Description	Attorney	Quantity	Amount	Rev Qty	Rev Amt	Status
03/18/2010		00002	FEDERAL EXPRESS	COST	0.00	18.46	0.00	18.46	Billed
			FEDERAL EXPRESS						
03/26/2010		00002	FEDERAL EXPRESS	COST	0.00	24.81	0.00	24.81	Billed
			FEDERAL EXPRESS						
03/30/2010		00020	PHOTOCOPIES	COST	13.00	3.25	13.00	3.25	Billed
			PHOTOCOPIES						
06/21/2010		00002	FEDERAL EXPRESS	COST	0.00	56.99	0.00	56.99	Billed
			FEDERAL EXPRESS						
06/22/2010		00006	FILING FEE	COST	0.00	2,000.00	0.00	2,000.00	Billed
			FILING FEE						
06/30/2010		00020	PHOTOCOPIES	COST	1,047.00	261.75	1,047.00	261.75	Billed
			PHOTOCOPIES						
07/09/2010		00001	LONG DISTANCE CALLS	COST	0.00	0.20	0.00	0.20	Billed
			LONG DISTANCE CALLS						
07/13/2010		00017	OUTSIDE PHOTOCOPIES	COST	0.00	587.76	0.00	587.76	Billed
			OUTSIDE PHOTOCOPIES						
07/22/2010		00020	PHOTOCOPIES	COST	47.00	11.75	47.00	11.75	Billed
			PHOTOCOPIES						
08/25/2010		00020	PHOTOCOPIES	COST	179.00	44.75	179.00	44.75	Billed
			PHOTOCOPIES						
09/07/2010		00003	TRAVEL EXPENSE	COST	0.00	470.14	0.00	470.14	Billed
			TRAVEL EXPENSE - msf 8/30-31						
09/24/2010		00020	PHOTOCOPIES	COST	186.00	46.50	186.00	46.50	Billed
			PHOTOCOPIES						
10/05/2010		00003	TRAVEL EXPENSE	COST	0.00	354.96	0.00	354.96	Unbilled
			TRAVEL EXPENSE - CWM 9-29-30/10						
10/26/2010		00020	PHOTOCOPIES	COST	47.00	11.75	47.00	11.75	Unbilled
			PHOTOCOPIES						
<b>Report Totals:</b>					<b>1,519.00</b>	<b>3,893.07</b>	<b>1,519.00</b>	<b>3,893.07</b>	

# Key Engineering Associates, Inc.

KEY Engineering Associates, Inc.  
4562 Rutledge Drive  
Palm Harbor, FL 34685

**received**  
7-5-10

Ni America  
10913 Metronome  
Houston, TX 77043

INVOICE NO: 10-067B  
DATE: 7/1/2010  
AMOUNT: \$420.97  
TERMS: Net 30 Days  
JOB NO: 400

Attn: Andy Thomas

## PROFESSIONAL ENGINEERING SERVICES FOR JUNE, 2010

### NI FLORIDA, TAMAMI MAPS

QB: 6/30/10

- \* Coordination with Andy Thomas & John Wittenzellner
- \* Modified and prepared copies of Tamiami maps for for Christian Marcelli, per Andy's request

Principal	2.0	x	\$135.00	=	\$270.00
Associate	0.0	x	\$115.00	=	\$0.00
					<u>\$270.00</u>

### REIMBURSABLE EXPENSES:

Fed Ex					\$30.97
Key Engineering - Color Plots					\$120.00
Milage: 0 miles @ \$0.50 per milc					\$0.00
					<u>\$150.97</u>

Subtotal: \$420.97

TOTAL DUE THIS INVOICE: \$420.97

THANK YOU!

**POSTED**  
7/1/10

**APPROVED**  
*[Signature]*



<b>Invoice Number</b> 7-132-23237	<b>Invoice Date</b> Jun 22, 2010	<b>Account Number</b> 2103-2301-5
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**FedEx Express Shipment Detail By Payor Type (Original)**

~~Drop and Pick Up on 6/22/10~~ ~~NO REFERENCE INFORMATION~~ ~~REF: 86172~~  
~~Payor's ID: 86172~~

- Fuel Surcharge - FedEx has applied a fuel surcharge of 10.00% to this shipment.
- Distance Based Pricing, Zone 2
- Package sent from: 34690 zip code
- FedEx has audited this shipment for correct packages, weight, and service. Any changes made are reflected in the invoice amount.
- Your revenue threshold for this ship date was not met, therefore no Earned Discounts were applied.
- Minimum Billable Weight was applied.

Automation	USAB	<b>Sender</b>
Tracking ID	865165619323	K BACHMANN
Service Type	FedEx Priority Overnight	KEY ENGINEERING ASSOC INC
Package Type	FedEx Tube	4582 RUTLEDGE DR
Zone	02	PALM HARBOR FL 34685-3871 US
Packages	1	
Actual Weight	2.0 lbs, 0.9 kgs	
Rated Weight	6.0 lbs, 2.7 kgs	
Delivered	Jun 17, 2010 09:06	
Svc Area	A2	Transportation Charge
Signed by	T. COLLINS	Fuel Surcharge
FedEx Use	010706002/0001486/	<b>Total Charge</b>

**Recipient**  
 CHRISTIAN MARCELLI ESQ  
 ROSE SUNDSTROM & BENTLEY LLP  
 2180 W STATE RD 434 STE 2115  
 LONGWOOD FL 32779 US

*Ni America.*

		26.15
		2.02
		<b>\$30.97</b>
<b>Shipper Subtotal</b>		<b>USD \$30.97</b>
<b>Total FedEx Express</b>		<b>USD \$30.97</b>



# Key Engineering Associates, Inc.

## COLOR PLOTS EXPENSE WORKSHEET

Ni Florida

Tamlam Mapping

\*. 4 sheets - For Christian Marcelli

24 X 36 COLOR BOND PLOTS:

4 SHEET @ 6 SF PER SHEET = 24 SF

24 SF @ \$5.00 PER SF = \$ 120.00