

MEMORANDUM

August 26, 1992

ORIGINAL
FILE COPY

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (FEIL) *MJF*

RE: DOCKET NO. 900025-WS - APPLICATION FOR STAFF
ASSISTED RATE CASE IN PASCO COUNTY BY SHADY
OAKS MOBILE MODULARS, INC.

Attached are letters and memorandums in the above-referenced case. Please file them in the docket file. Thank you.

MJF/dr

Attachment

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

09663 AUG 26 1992

FPSC-RECORDS/REPORTING

08/20/92 14:24

001

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 8-20-92

TIME: 2:15 P.M.

TO: Matthew J. Feil, Senior Staff Attorney
DIVISION OF WATER & SEWER
P.S.C.

AND

Miss Jeni Lingo, DIVISION OF WATER & SEWER

FAX NO. 904-487-0509

TELEPHONE NO. 904-487-2091

FROM: Richard D. Sims

c/o OFFICE DEPOT

FAX NO. 813-979-1683

TELEPHONE NO. 813-932-3177

COMMENTS: PLEASE DELIVER IMMEDIATELY, A COPY TO EACH PERSON
LISTED ABOVE.

NUMBER OF PAGES INCLUDING COVER SHEET: 2

Tab stop & kv markers

Adams
PREMIER

2 PART

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FORM 904P

MEMORANDUM

TO
 Mr. Matthew J. Feil
 Senior Staff Attorney
 State of Fla. Public Service Comm.
 131 E. Gaines St.
 Tallahassee, Fla. 32399-0850

FROM
 S & D UTILITY
 P.O. BOX 280012
 TAMPA, FLA. 33682-0012

DATE 8-20-92

SUBJECT

MESSAGE

Dear Mr. Feil:

Many thanks for your reply to our letter of August 14th, concerning Docket No. 900025-MS. As of this date we would like to go ahead and apply for an extension for the filing of our pre-filing testimony. We appreciate your advising us of this various rule.

Very truly yours,

R. D. Sims
 R. D. Sims

CC: J. Lingo
 FAX

PLEASE REPLY BY

NO REPLY NECESSARY

Memorandum

FAX NOTIFICATION

TIME: _____
DATE: 2:55
8-20

PERSON CALLED: _____
PERSON CALLING: AM

- Requested to hold for Pick-up
- Requested to distribute through mail-run

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
BETTY EASLEY
J. TERRY DEASON
SUSAN F. CLARK
LUIS J. LAUREDO



DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(904) 487-2740

Public Service Commission

August 17, 1992

Mr. R.D. Sims
1315 Eckles Drive
Tampa, Florida 33612

Re: Docket No. 900025-WS - Application for staff assisted rate case in Pasco County by Shady Oaks Mobile Modulares, Inc.

Dear Mr. Sims:

I write in response to your letter sent to me by facsimile transmission August 14, 1992.

In your letter, you state that based on your review of the appellate court materials, you do not think that the utility has an approved rate. This is not the case. The focus of the appeal is the period of time in 1991 when the Circuit Court injunction was in effect.

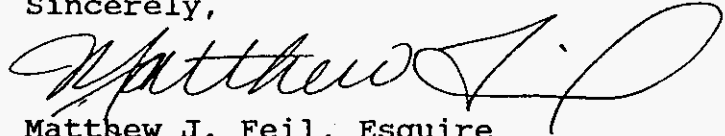
In your letter you also state that you intend not to respond to any staff correspondence until the appellate court case is concluded. I would strongly suggest that you not do this. The disposition of the court case and the show cause proceeding currently pending before the Commission have nothing to do with each other. Any lack of cooperation with staff on your part would not be well received by the Commission in light of the problems the utility has had in the past.

In your letter you also state, "Concerning our conversation with you and Ms. Lingo last week, we are in agreement but then still this is all up to the appellate court." I am unaware of our being in agreement on anything in the show cause matter which was the subject of our most recent conversation on July 29. Further, I fail to understand your reference to our supposed agreement being subject to the appellate court's decision.

Finally, in your letter, you request an extension on the administrative hearing to be held on August 22, until the appellate court makes its decision. I call your attention to the fact that

there is no hearing in the show cause matter scheduled for August 22. The utility's prefiled testimony is due August 21; the hearing is scheduled for December 9 and 10. If you want an extension for filing your testimony or want to have the hearing continued, you need to make your request by a formal written request filed in accordance with Rule 25-22.037, Florida Administrative Code, and all other applicable Commission Rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew J. Feil". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Matthew J. Feil, Esquire
Senior Staff Attorney

MJF/dr

cc: Division of Water and Wastewater (Lingo)

R.D. SIMS
1315 ECKLES DR
TAMPA, FLA 33612
Ph. 932-3177

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 8-14-92

TIME: 9:30 A.M.

TO: Mr. Mathew Feil, Staff Attorney
Mr. Robert Vandiver, General Counsel
Miss Jani Lingo
Mr. Greg Shafer, Bureau Chief

} DIVISION OF WATER
AND SEWER

Public Service Commission

FAX NO.: 904-487-0509

TELEPHONE NO.: 904-487-2091

FROM: Richard D. Sims

c/o Office Depot

FAX NO.: 813-979-1683

TELEPHONE NO.: 813-932-3177

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LISTED ABOVE.

NUMBER OF PAGES INCLUDING COVER SHEET: 4

R.D. SIMS
1315 ECKLES DR.
TAMPA, FLA. 33612
Ph. 932-3177

August 13, 1992

Mr. Mathew Feil, Staff Attorney
P.S.C.
101 E. Gaines St.
Tallahassee, Florida 32399-0864

Dear Mr. Feil:

I noted following the brief I picked up from Mr. McAlvanah's office today, it was dated 5-28-92. It appears to me that we do not even have a rate until the Appellate Court makes its decision.

We have received numerous pieces of correspondence from Staff, that would appear after reviewing the appeal, that it would not behoove us to answer this correspondence until the Appellate Court makes its decision. As you know, we certainly want to bring this to a conclusion, because the expenses involved are not within the area of the Utility's financial position. We would like to bring this to a conclusion, but then it appears that we are in some type of a quagmire.

Concerning our conversation with you and Miss Lingo last week, we are in agreement but then still this is all up to the Appellate Court. We shall run this Utility in accordance with the funds available. Enclosed is a complete listing of non-payment of Utility Fees as of 6-19-92.

We would like to request an extension for an administrative hearing which is to be held on August 22, 1992, until the Appellate Court makes its final decision. I believe this would be the most logical and economical thing to do for all parties involved. We appreciate your consideration.

Very truly yours,

R. D. Sims

R. D. Sims

Encl. 2

cc: Robert D. Vandiver, General Counsel
Jeni Lingo
Greg Shafer

AS OF 6-19-92 AMOUNTS OWED BY RESIDENTS TO S & D UTILITY

| | | | |
|--------------|-----------|-----------------|----------|
| Angley | \$ 159.10 | Kent | \$ 25.00 |
| Armour | 184.10 | Knapp | 159.10 |
| Arnold | 135.46 | Knapp (Rental | 182.31 |
| Ashley | 137.97 | 38509 Cone Dr. | |
| Ashwell | 159.10 | Knapp (Rental) | 460.82 |
| Bennett | 73.14 | 3658 Muller Dr. | |
| Berkey | 159.10 | Knapp (Rental) | 329.23 |
| Bird | 94.63 | 3717 Muller Dr. | |
| Bispo | 91.98 | Knapp (Rental) | 71.35 |
| Blaney | 141.12 | 3702 Muller Dr. | |
| Boberick | 159.10 | Kohl | 113.47 |
| Borge | 94.63 | Koontz | 94.63 |
| Borte | 107.73 | Kristoferson | 326.98 |
| Boyce | 91.98 | LaChapelle | 159.10 |
| Braidwood | 159.10 | LaDue | 48.78 |
| Bremer | 185.82 | Lanham | 000000 |
| Broberg | 159.10 | LeRoy | 116.12 |
| Bromley | 202.08 | Lenhart | 88.14 |
| Brown, L. | 159.10 | Lewis | 159.10 |
| Brown, K. | 000000 | Libby | 91.98 |
| Bucci | 625.54 | Lilley | 000000 |
| Burdick | 159.10 | Lindahl | 98.14 |
| Buturlia | 159.10 | Lindsay | 159.10 |
| Camp, Jr. | 147.78 | Louder | 159.10 |
| Carlson, D. | 205.59 | Lyon | 000000 |
| Carlson, M.. | 202.94 | McBride | 159.10 |
| Chapman | 159.10 | McCann | 159.10 |
| Christenson | 270.06 | McClain | 202.08 |
| Clark, E. | 184.10 | McClelland | 159.10 |
| Clark, R. | 91.98 | McGreevey | 184.10 |
| Beam | 202.11 | Mallon | 73.14 |
| Clopton | 61.82 | Malott | 51.65 |
| Coates | 000000 | Marz | 159.10 |
| Coburn | 159.10 | Mathews | 42.98 |
| Cole, D. | 68.83 | Maxfield | 40.33 |
| Cole, R. | 70.49 | Maxon | 184.10 |
| Cooley | 8.67 | Meeusen | 94.63 |
| Courtright | 89.33 | Murray | 208.24 |
| Cullmore | 67.84 | Paaso | 110.82 |
| Dale, E. | 57.98 | Padgett | 202.08 |
| Dean | 24.86 | Peasley | 313.90 |
| DeNio | 55.16 | Peneton, H. | 67.84 |
| Dwaileabe | 49.00 | Peneton, J. | 000000 |
| Eimer | 553.44 | Peterson, L. | 159.10 |
| Feenstra | 148.35 | Poirier | 40.33 |
| Funk | 243.06 | Porter | 104.80 |
| Garrett | 203.18 | Preble | 177.94 |
| Griepsma | 227.08 | Ready | 8.67 |
| Hein | 159.10 | Reilich | 116.12 |
| Hodgins | 264.76 | Ricketts | 159.10 |
| Houston | 159.10 | Rines | 59.65 |
| Hulber | 72.55 | Roberts | 30.16 |
| Humphrey | 21.49 | Roepske | 159.10 |
| JAcob | 159.10 | Rogers | 37.68 |
| Johnston, M. | 159.10 | | |
| Kellnhofer | 51.65 | | |
| Kelly | 134.96 | | |

PAGE -2 S & D UTILITY

| | |
|--------------|-----------|
| Roix | \$ 180.59 |
| Roof | 112.98 |
| Rutherford | 116.12 |
| Rutledge | 159.10 |
| Ryan | 49.86 |
| St. John | 42.98 |
| Samuelson | 159.10 |
| Schneider | 177.94 |
| Sinclair, L. | 608.60 |
| Sinclair, M. | 42.98 |
| Smalley | 307.74 |
| Spence | 159.10 |
| Stockwell | 12.18 |
| Stoddart | 110.82 |
| Surdell | 70.49 |
| Tewksbury | 30.26 |
| VanGiesen | 119.99 |
| Vogelsong | 159.10 |
| Warner, C | 36.86 |
| Warner, L. | 91.65 |
| Wald | 30.16 |
| Wentworth | 42.98 |
| Wentz, E | 245.06 |
| West, C. | 122.28 |
| Williams, W. | 42.98 |
| Wilson, C. | 398.68 |
| Wolters | 46.35 |

18,361.04