

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA

State of Florida



Blanca S. Bayó, Director
Division of Records and Reporting
(904) 413-6770

Public Service Commission

DATE: August 7, 1996
TO: Parties of Record
FROM: Blanca S. Bayó, Director *BSB/114*
Division of Records and Reporting
RE: Docket No. 950495-WS - Application for rate increase in service availability charges by Southern States Utilities, Inc. for Orange-Osceola Utilities, Inc. in Osceola County, and in Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Duval, Highlands, Lake, Lee, Marion, Martin, Nassau, Orange, Osceola, Pasco, Putnam, Seminole, St. Johns, St. Lucie, Volusia, and Washington Counties.

This is to inform you that Chairman Clark has reported the following communications in the above referenced docket.

- Letter from Senator George Albright dated July 30, 1996, with an attached letter from Mr. and Mrs. Hugh Baldwin.

Senator Albright's and Mr. and Mrs. Baldwin's letters and Chairman Clark's response, copies of which are attached, are being made a part of the record in these proceedings. Pursuant to Section 350.042, F.S., any party who desires to respond to an ex parte communication may do so. The response must be received by the Commission within 10 days after receiving notice that the ex parte communication has been placed on the record.

BSB/cp

Attachments

cc: Rob Vandiver/w/letter

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DOCUMENT NUMBER - DATE

08276 AUG-7 10772

FPSC-RECORDS/REPORTING

State of Florida

Susan F. Clark
Chairman



Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6040
FAX (904) 487-1716

Public Service Commission

August 1, 1996

The Honorable George Albright
Representative, District 24
Florida House of Representatives
111 Southeast 25th Avenue
Ocala, Florida 34471-9179

Dear Representative Albright:

Thank you for transmitting a copy of Mr. Baldwin's letter dated July 24, 1996, regarding Southern States Utilities, Inc.'s (SSU) application for a rate increase.

As I explained in my letter to Mr. Baldwin, Public Service Commissioners are prohibited by section 350.042, Florida Statutes, from commenting on the merits of the company's proposal while this matter is pending. I did, however, place Mr. Baldwin's letter on the correspondence side of the docket file where it will be available for review. I will also place your letter on the record of the proceeding, and give notice to the parties to the proceeding in accordance with section 350.042.

The Commission voted on the "revenue requirements" issues at a special agenda conference on July 31, 1996. A separate special agenda conference will be held on August 15, 1996, for consideration of the "rate" issues. After the Commission has voted on all the issues, the Commission will issue an order setting forth its decision. This order will be subject to requests for reconsideration by the parties to the proceeding, and to appeals at the First District Court of Appeal.

Thank you again for forwarding your constituents' letter.

Sincerely,

A handwritten signature in cursive script that reads "Susan F. Clark".

Susan F. Clark
Chairman

Enclosure

c: Division of Records and Reporting
(Docket No. 950495-WS)
Division of Legal Services (Vandiver, Jaber)
Division of Water and Wastewater (Willis)



96-0319 AUG-1

Florida House of Representatives

111 S.E. 25th Avenue
Ocala, FL 34471-9179
904-732-1313

GEORGE ALBRIGHT
REPRESENTATIVE, DISTRICT 24

402 House Office Building
Tallahassee, FL 32399-1300
904-488-0335

July 30, 1996


Ms. Susan F. Clark, Chairman
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Commissioner Clark:

Attached you will find a copy of a letter from a constituent in my district which is much like the correspondence I receive time and time again on this very issue. I would appreciate your attention to this matter and a reply to same.

Thanking you in advance for your attention to this matter.

Sincerely,


George Albright
State Representative
District 24

GA/sen

cc: Mr. and Mrs. Hugh Baldwin
Public Service Commissioners

Enclosure

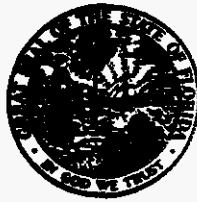
RECEIVED

JUL 31 1996

Florida Public Service Comm.
Commissioner Clark

State of Florida

Susan F. Clark
Chairman



Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(904) 413-6040
FAX (904) 487-1716

Public Service Commission

August 1, 1996

Mr. and Mrs. Hugh Baldwin
2060 Southeast 39th Street
Ocala, Florida 34480

Dear Mr. and Mrs. Baldwin:

Thank you for your letter dated July 24, 1996, regarding Southern States Utilities, Inc.'s (SSU) application for a rate increase.

The Commission has held over 20 customer service hearings throughout SSU's service area. In addition, the Commission held a two-week long technical hearing in Tallahassee for the purpose of hearing testimony and evidence from various expert witnesses sponsored by the parties to this proceeding. The Commission will vote on the issues in this proceeding at two special agenda conferences. The first of these special agenda conferences was held July 31, 1996. The next one will be on August 15, 1996. Special agenda conferences are open to the public; however, participation is limited to the Commissioners and the Commission's staff.

I am prohibited by Florida law from commenting on the merits of the company's proposal while this matter is pending. I will, however, place your letter on the correspondence side of the docket file where it will be available for review. Also, I have enclosed a brochure entitled "Rate Case Procedures for Water and Wastewater Utilities" which will help you understand more about how the Commission processes applications for rate increases.

Thank you again for your letter.

Sincerely,

A handwritten signature in cursive script that reads "Susan F. Clark".

Susan F. Clark
Chairman

Enclosure

c: Division of Records and Reporting
(Docket No. 950495-WS)
Division of Legal Services (Jaber)
Division of Water and Wastewater (Willis)

RECEIVED

July 24, 1996

Page 1

JUL 29 1996

Florida Public Service Comm.
Commissioner Clark

96-0317 JUL 29

Public Service Commission
2540 Shumard Oak Blvd.
Capitol Circle Office Bldg.
Tallahassee, FL. 32399
ATTN: Ms. Susan Clark, Chairwoman

REFERENCE: SOUTHERN STATES UTILITIES

Dear Ms. Clark:

As homeowners in Citrus Park subdivision which is serviced by Southern States Utilities, this letter is being written in vehement protest of the exorbitant charges this utility is now getting as well as proposing.

Ever since Southern States Utilities took over the water and sewer service for this subdivision, we have experienced one rate increase after another - whether is be an actual increase or an interim one. How much longer do we have to put up with price gouging from this company? They are the biggest pirates that ever came down the pike. During the time of all these increases we have never seen one improvement in the quality of their water and/or their service. There are times when when water run from the tap has such a foul, stenchy odor that it is absolutely nauseating and the taste of this water (at all times) is just plain disgusting. We have purchased bottled water for years for consumption purposes. Even our pets will not drink this water from the tap - does that tell you something?

Minnesota Power & Light Company who are the owners of Southern States Utilities is a huge conglomerate who obviously are not in the least bit concerned about their customers. We do not understand how the Public Service Commission can continually grant these price increases. It appears that the Commission is not acting in the best interests of the consumer who they are supposed to represent, but rather are acting solely in the interest of Southern States Utilities. We have yet to meet one person serviced by this utility who thinks they they are justified with their rate increases and/or their service.

Also, why would the final decision of the Public Service Commission possibly be determined by the profitability rate of the particular Utility company involved? This just does not make sense. We agree, every company is indeed entitled to make a profit, however, when that profit is obscene as in the case with Southern States Utilities, it certainly should not be condoned or permitted.

Yet another disturbing factor - over the years we have seen many homes in this area up for sale, many of which have been or currently are on the market in excess of one year - could it be that nobody wants to have to pay these grossly unfair utility charges?

Sincerely,

Hugh & Dolores Baldwin

Mr. & Mrs. Hugh Baldwin
2060 S. E. 39th St.
Ocala, FL. 34480

Carbon Copies as noted on Page 2

10776

cc: Gov. Lawton Chiles, Capitol, Tallahassee, FL. 32399
Lt. Gov. Buddy MacKay, Capitol, Tallahassee, FL. 32399
Atty. General Robert L. Butterworth, Capitol, Tallahassee, FL. 32399
Rep. Bob Casey, M.D., 4401 N.W. 25th Place, Suite L, Gainesville, FL. 32606
Rep. George Albright, 111 S.E. 25th Ave., Ocala, FL. 34471
Senator Bob Graham, 101 E. Kennedy Blvd., Suite 3270, Tampa, FL. 33602
Rep. Cliff Stearns, 115 S.E. 25th Ave., Ocala, FL. 34471
Rep. Karen Thurman, 2224 Highway 44 West, Inverness, FL. 34453
County Administrator Jack Howley, 601 S.E. 25th Ave., Ocala, FL. 34471
Ocala County Commissioners, 601 S.E. 25th Ave., Ocala, FL. 34471
Judge Susan H. Black, P.O. Box 53135, Jacksonville, FL. 32201
Citrus Park Homeowners Association, P.O. Box 71122, Ocala, FL. 34471

From: Carol Purvis Confirm receipt
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: Ex Parte

===NOTE=====

The Chairman has reported receiving a letter from Senator George Albright, dated July 30, 1996, with an attached letter from Mr. and Mrs. Hugh Baldwin, dated July 29, 1996 concerning Docket No. 950495-WS. We are preparing to distribute this letter to the parties to this docket. Would you please advise if your Commissioner has also received this letter.

State of Florida



Public Service Commission

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

DATE: August 1, 1996

TO: Blanca Bayó, Director of Records and Reporting

FROM: Susan F. Clark, Chairman *SFC*

RE: Docket No. 950495-WS

I have attached a copy of a letter of July 30, 1996, from Florida State Representative George Albright, which forwards a constituent's letter referencing matters at issue in the above-referenced proceeding. I have also attached a copy of my response. Please place this memorandum and attachment on the record of the above-referenced proceeding. Also, please give notice of this communication to all parties to the docket and inform them that they have 10 days from receipt of the notice in which to file a response.

From: Carol Purvis
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: fwd: Ex Parte

====NOTE=====8/02/96==3:28pm=====

The Chairman has reported receiving a letter from Senator George Albright, dated July 30, 1996, with an attached letter from Mr. and Mrs. Hugh Baldwin, dated July 29, 1996 concerning Docket No. 950495-WS. We are preparing to distribute this letter to the parties to this docket. Would you please advise if your Commissioner has also received this letter.

Fwd=by:=Braulio=Baez==8/02/96==3:30pm=====

Fwd to: Carol Purvis

.....

The office has received this letter, and it was placed in the intercept file. Commissioner Garcia has not seen it.

From: Carol Purvis CONFIRMED
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: fwd: Ex Parte

====NOTE=====8/02/96==3:28pm=====

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Fwd-by:=Charles=Rehwi=8/02/96==4:36pm=====

Fwd to: Carol Purvis
BCC: Billy Stiles

.....
We have received a letter from Rep. Albright but do not consider it or the customer letter attached to be an Ex Parte communication. I am sending a memo down to that effect.

Fwd-by:=Billy=Stiles==8/02/96==5:36pm=====

Fwd to: Charles Rehwinkel
CC: Carol Purvis

.....
I understand your position; however, I felt it was necessary to report the matter in an abundance of caution. The Representative's letter did not clearly indicate a position on the merits of the case; however, there are some who might construe such a communication as an ex parte communication. There is no clear authority as to what constitutes "addressing the merits." While the Representative's letter itself doesn't clearly indicate a position, the letter attached to his letter certainly does. Someone could make an argument that, when taken together, the correspondence addressed the merits. In any event, we have a practice of responding to all communications received from legislators and providing notice to the parties of those that address dockets.

From: Carol Purvis
To: Braulio Baez, Brenda Ferris, Charles Rehwinkel, Curtis Williams
Subject: fwd: Ex Parte

====NOTE=====8/02/96==3:28pm=====

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Fwd-by:=Charles=Rehwi=8/02/96==4:36pm=====

Fwd to: Carol Purvis

.....

We have received a letter from Rep. Albright but do not consider it or the customer letter attached to be an Ex Parte communication. I am sending a memo down to that effect.

10782