

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 9/3/96

Docket No. 961034-W5

1. Division Name/Staff Name WAW/Eric Groom
2. OPR Lila Jaber (LEG) *gob* *(2)* *(M)*
3. OCR E. Groom (WAW)
4. Suggested Docket Title Complaint by Lewis Hughes against Betmar Utilities, Inc. in Pasco County regarding backflow prevention devices.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

Mr. Joseph Turco
Betmar Utilities, Inc.
P.O. Box 370
Port Richey, Florida 34673-0370

Mr. Lewis Hughes
Finance Director, Betmar Owners, Inc.
P.O. Box 395
Belle Center, Ohio 43310

2. Interested Persons and their representatives (if any)

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

Lewis E. Hughes

RECEIVED

SEP 3 11 21 AM '96

Telephone 513-464-5103

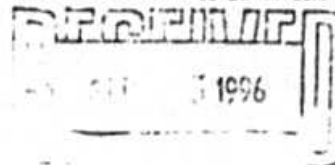
P.O. Box 395
BELLE CENTER, OH 43310

ADMINISTRATIVE
MAIL ROOM

August 28, 1996

Lila Jaber
Bureau Chief, Water & Waste Water
Division of Legal Services
Capital Circle Office Center
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Florida Public Service Commission



LEGAL DIVISION

Ref: Betmar Utilities

Dear Lila,

At the hearing on April 16, 1996, I and forty-eight other residents of Betmar Park were present when Susan Clark, Chairwoman PSC, ordered Mr. Turco to refrain from installing back flow valves on typical residential single family dwellings and to remove all those he had installed and refund the customers payment. She further directed him to refund the monies he collected thru ESG for annual inspection of Check Valves.

Your staff was directed, by Ms. Clark, to take whatever steps necessary to see that he complied with her orders. It is obvious that your legal staff has done nothing.

Mr. Turco has defied Ms. Clark's order and is literally "thumbing his nose" at the PSC. Why are you allowing him to do this??

As of this date, Mr. Turco has not removed any valves, nor has he refunded any fees. In fact, he is continuing to force new homes to install a back flow valve. Your staff specifically instructed Mr. Turco to remove Mr. Southcott's valve and refund his fee. Mr. Turco informed Mr. Southcott, "No refund will be made!".

Mr. Turco has stated that he will continue performing as he interprets the law, after all, PSC has issued many warnings in the past, but failed to follow up with fines, etc. I have to agree with him, in researching the files, I find several letters where the PSC has ordered Betmar Utilities to show cause, why they should not be fined large sums. He has always ignored the requests, as he is doing now, with the backflow issue and the PSC has done nothing.

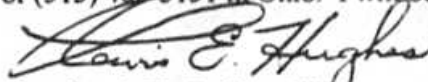
It is no secret that the residents of Betmar want Joe Turco relieved of his duties or the license for Betmar Utilities revoked. We expect some action from you as promised by the Chairman of PSC on 4/16/96. Is Susan Clark aware that your legal department has not taken any action against Mr. Turco?

The DEP conducted a compliance inspection on May 20, 1996 and found numerous violations. On July 10, 1996 they issued a letter in reference to noncompliance, which it appears DEP is going to enforce.

We are requesting the PSC and DEP apply all the pressure necessary to see that Joe Turco complies with both Departments or cease doing business and allow us to secure another utility to serve our community.

Bebb Jones and I have been receiving calls and letters from residents requesting the removal of the valve and their refunds. What do you suggest we tell them??

Your cooperation in this matter will be greatly appreciated. If you desire to call me, I can be reached at (513)464-5103 or (513) 464-3131 in Ohio. I will be in Florida by 10/15/96, (813) 783-8315.



Lewis E. Hughes, CPA
Finance Director
Betmar Owners, Inc.

Enclosures:

- #1 Letter from Bebb Jones
- #2 New Application Form (Betmar Utilities)
- #3 Agreement with previous owners
- #4 Letter to Mr. Southcott
- #5 Letter from Mr. & Mrs. Piseski
- #6 Experiences residents have had with Mr. Turco

CC: Marshall Willis