



Public Service Commission

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

DATE: August 6, 1997
TO: Division of Records & Reporting
FROM: Tim Vaccaro, Senior Attorney, Division of Legal Services *TV*
RE: Docket No. ~~99777~~-SU - Application for limited proceeding increase in wastewater rates by Forest Utilities, Inc. in Pasco County

Please file the attached letter, dated August 5, 1997, from Anthony C. Ekonomides, Esquire of Ekonomides & Associates, in the above referenced docket file.

TV:mw

EKONOMIDES & ASSOCIATES**ATTORNEYS & COUNSELORS AT LAW
ONE TAMPA CITY CENTER**

August 5, 1997

VIA FACSIMILE #(904) 413-6182

Mr. Timothy Vaccaro
Senior Attorney
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Forest Hills Utilities, Inc., Application for Rate Increase
Docket No.: 961475-SU

Dear Mr. Vaccaro:

Further to our conversation of today's date please be advised as follows:

1. Although I am aware that this matter has been deferred previous to my herein request, I remind all parties that on Friday, June 6, 1997, I received notification that the initial agenda date of Tuesday, June 10, 1997, was being deferred further to a request from the Utility's attorney, Mr. Deterding. I did not object to such deferral. There followed an informal telephone meeting of June 23, 1997, and the current date of August 18, 1997, was selected sometime thereafter.

2. As you are aware I have been somewhat less than 100% active in light of a recent automobile accident where I was rear-ended. Although most of what it is that I wish to submit is in substantial completion, I will require a little more time for said completion.

3. As of August 1, 1997, new developments regarding the utility and its billing practices have created a need for further investigation on the part of all concerned. More specifically, my client, the Forest Hills East Civic Association has been in contact with me almost everyday since August 1, 1997, indicating that water bills for the month of July are outrageously excessive in numerous instances. The bills indicate a gallowage usage far exceeding what people have actually used and far in excess of what the meter actually reads. In one such instance an individual has received a water bill for \$379.00 for usage of over 100,000 gallons. In the case of 5717 Jackpot Way, Holiday, Florida there was a bill for 8200 gallons when actual usage and the meter indicate only 3200 gallons used. This is a problem which

Mr. Timothy Vaccaro

Page 2

CANNOT be addressed with the utility because of their office closure between the months of July to end of October.

The Utility has often indicated deposits it now holds would not be returned if people did not make their payments when due. The commission has ordered the return of deposits and this has not occurred. It is my desire to investigate this further so that I can determine whether the billing practices of the Utility for July are intended to create a tardy payment environment and provide an excuse to withhold returning deposits it is obviously obligated to return.

I have also been invited to address all concerns of my client within this particular case even though it is a limited proceeding for a rate increase.

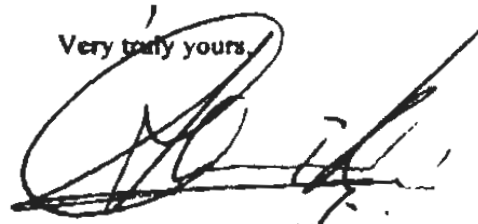
For the above enumerated reasons and because we have not asked for any deferment in the past, counsel requests that the August 18, 1997, date for Agenda on this matter be deferred for a period of three weeks, that is, for any date which is convenient to all other parties in the week of September 8, 1997. Such a request is fair and even-handed. I have provided more than 13 days notice and state in good faith that the extra time is required to adequately prepare for said Agenda.

To deny my client a deferment would amount to rewarding the Utility and granting its requests, while ignoring the tax and rate payer who politely and with ample notice, requests the same.

Please be informed that counsel will be out of the state between September 22 and October 6, 1997.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Very truly yours,



Anthony C. Ekonomides

ACF/pjc

cc: Bette Flynn, Forest Hills East Civic Association