



Public Service Commission

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

DATE: November 17, 1997
TO: Division of Records and Reporting
 Division of Legal Services (Jaeger)
FROM: Edith Xanders, Division of Water and Wastewater *EX*
RE: Docket No. 921098-WS: Application for certificates to provide water and wastewater service under grandfather rights by Turkey Creek Utilities in Alachua County

Please place the attached in the above referenced docket file. If you have any questions, please feel free to contact me.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CRM _____
- CTA _____
- EAC _____
- LEG _____
- LRP _____
- CFO _____
- SCM _____
- SM _____
- WFO _____
- STW _____

DOCUMENT NUMBER-DATE
 11827 NOV 18 5
 FPSC - RECORDS/REPORTING

2900 Turkey Creek Boulevard
158 Turkey Creek
Alachua, Florida 32615-9513
Phone (904)462-5653

November 11, 1997

Ms. Edie Xanders
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED
NOV 14 1997

Re: Turkey Creek Rebates and Settlement

Florida Public Service Commission
Division of Water and Wastewater

Dear Ms. Xanders:

Forwarded herewith is a copy of a letter dated June 13, 1996, from Michael Jones to Mr. Jaeger which includes a summary. The typed figures on the summary are yours while the handwritten ones are mine. The paragraphs in Michael's letter correspond with the item numbers in the summary and I am going to respond only to paragraphs 3, 4, 5 and 6 which relate to Items 3, 4, 5 and 6 of the summary.

I really don't know how to make it any plainer than what is contained in the aforementioned letter. However, in another effort, please consider the following:

Paragraph 3 relating to Item No. 3 - We will admit to your figure without any argument because it is too hard to compute and we would probably come up with a different answer each time.

Paragraph 4 relating to Item No. 4 - Because the money, if any, was paid prior to the turnover date, it is not under the jurisdiction of the PSC.

Paragraph 5 relating to Item 5 - The arithmetic was wrong as described in Michael's letter to Mr. Jaeger. Taking your figures for each customer, the amount should be \$459.00.

Paragraph 6 relating to Item 6 - We had an actual count of new customers and using your figure, the amount should be \$650.00

Now, if you add the three figures, it comes to a total of \$1,314.74. We are ready to write the City of Alachua a check in this amount so that we may get these items behind us. I sincerely hope this is clear because I do not know how to make it any clearer.

Yours very truly,

TURKEY CREEK UTILITIES


Norwood W. Hope

NWH:hdc
Encl.



A Planned Residential and Recreational Community
4 Miles North of Gainesville on US 441 North

3065

MICHAEL W. JONES, P. A.

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June 13, 1996

Ralph R. Jaeger, Esquire
c/o Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Turkey Creek, Inc., etc. v. Florida Public Service
Commission

Dear Mr. Jaeger:

My clients have reviewed your last presentation and made their own calculations, which I present to you herein, by referring to your paragraph numbers set forth in your, "Summary of Turkey Creek Refunds Due, Including Interest."

Paragraph One and Two: Our staff inserted the PSC mandated rates into the billing program and ran a total; this figure was subtracted from the actual billed total for a refund amount. The correct amount is around \$23,000, and it will be borne out in the supporting documents Mr. Hope is sending you under separate cover.

Paragraph Three: Without admitting either liability or the accuracy of this number, we are prepared to pay \$205.74.

Paragraph Four: The only money ever paid to my clients by TCMOA for fire protection preceded the turnover date and thus is beyond the PSC's jurisdiction.

Paragraph Five: The arithmetic here seems wrong. At \$17 per charge for 30 units, the total would be only \$510. Anyway, the 30 unit assumption is wrong, as the late-pay rate was only about three (3%) percent, or 9 units. The adjusted amount should be (\$17 x 9 units x 3 months) \$459.

Paragraph Six: Using the \$25 refund rate for the three month period is okay, but the number of new accounts to which it applies needs to be adjusted downward to 26, which is the actual number from our records. The correct amount here is (\$25 per unit x 26 units) \$ 650.

Refund Protocol: Mr. Hope has contacted the City of Alachua about handling the mechanics of the refund process. One proposal is that

the City make the refunds and keep, for its trouble, any of the unclaimed money. Please let us know the P.S.C.'s position.

Interest Rate: In consideration of the above, the PSC will waive any claim of interest, penalty or fine in this regard.

Stay: We have a hearing pending in the circuit court, and some approaching briefing deadlines in the First District. I propose we stay each court proceeding until we finalize the settlement, to save time and money for all concerned.

Timing: We are prepared to meet the above obligations very shortly after we sign off on a settlement agreement, to finally close out this dispute.

Please let me hear from you as soon as possible. Thank you.

Cordially yours,


Michael W. Jones

MWJ/gss

cc: Mr. Norwood W. Hope

MICHAEL W. JONES, P. A.

Docket No. 921098-WS : Summary of Turkey Creek Refunds Due, Including Interest

1 Water Refund June 1992 - September 1993

As of Jan 96

\$6,572.73

4,939.79

1. There are 300 total customers (Residential and General Service)
2. The rate increased twice - September 1992 and November 1992.
 - January 7, 1993 rec
 - .05 increase to the gallonage and .50 increase to the minimum (September 1992)
 - .05 increase to the gallonage and .50 increase to the minimum (November 1992)
 - $(300 \times 0.5) + 300 \times (0.05 \times 6)$ - September Refund
 - $(300 \times 1) + 300 \times (0.1 \times 6)$ - November Refund
3. There are 4,000 gallons contained in the minimum charge.
4. The customers use 6,000 gallons after the initial 4,000.

2 Wastewater Refund June 1992 - September 1993

As of Jan 96

\$28,137.03

18,321.93

1. There are 300 total customers (Residential and General Service)
2. The rate increased twice - September 1992 and November 1992.
 - January 7, 1993 rec
3. The increase in September 1992 was \$1.80 and in November was \$7.15.
4. The refunds are based on the Maximum Monthly Charge which includes 7,000 gallons.

3 Interest on Customer Deposits June 1992 - September 1993

As of Jan 96

\$205.74

205.74

1. The customer deposit is \$40.00.
2. This refund applies only to customers who received their deposit back from Turkey Creek while the utility was regulated by the PSC (June 1992 - September 1993)
3. Those customers who received their deposits back from the City of Alachua are not eligible to receive interest.

4 Fire Protection June 1992 - September 1993

As of Jan 96

\$2,150.92

0

1. This is applicable only if the TCMOA paid the Fire Protection Charge and to any payments made after 6/30/92.

5 Late fee July 1993 - September 1993

As of Jan 96

\$1,724.96

459.00

1. The difference between Turkey Creek's late payment charge and the Commission approved rate is \$17.00.
2. This spreadsheet assumes that 10% (30) of the customers are owed refunds.

6 Misc Service Charges July 1993 - September 1993

As of Jan 96

\$1,268.35

650.00

1. This spreadsheet encompasses both water and wastewater.
2. When both water and wastewater service is provided, only a single charge is appropriate unless circumstances beyond control of the utility require multiple actions.
3. The amount of the refund in this spreadsheet has been calculated using the difference between the \$40.00 initial connection charge that was charged by the utility and the \$15.00 initial connection charge approved by the Commission.
4. This spreadsheet does not take the disconnection charge charged by the utility into account.
5. This spreadsheet assumes 15 new customers.

Total

\$40,059.74

24,576.46

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Florida Public Service Commission
Division of Water and Wastewater

Dear Ms. Xanders:

Please be advised that we have made the following refunds since our letter to you dated 10/22/97

Roger Wood	\$ 68.73
Carole Yocum	\$ 66.65
Lee Murphy	\$ 74.21
James Rohm	\$ 13.57
Richard & Kay Dougherty	\$ 91.24
Donald Biel	\$ 76.62
Kenneth Platt	\$ 21.45
3325, Inc.	\$ 27.60
Connie Tucker	\$ 69.53
Driltech	\$ 92.40
J. P. & Velma Jeblee	\$124.54
Laurie Brady	\$ 71.87
Rober Hicks	\$104.23
Dennis Lee	\$182.00

Yours very truly,

TURKEY CREEK UTILITIES



Norwood W. Hope
President

NWH:hdc



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