

ORIGINAL

STATE OF FLORIDA

Commissioners:
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J. TERRY DEASON
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JULIA L. JOHNSON
E. LEON JACOBS, JR.



DIVISION OF WATER & WASTEWATER
CHARLES H. HILL
DIRECTOR
(850) 413-6900

Public Service Commission

January 22, 1999

TO: DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF WATER AND WASTEWATER (MESSER) *BSM [signature]*
RE: DOCKET NO. 981781-SU, TRANSFER OF BUCCANEER UTILITY TO NORTH FORT MYERS UTILITY IN LEE COUNTY.

Please include the attached letters from Mr. Robert Harris and the Buccaneer Homeowners' Association in the docket file.

Cc: Division of Water and Wastewater (Redemann)
Division of Legal Services (Ferguson)

- ACK _____
- AFA _____
- APP _____
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DOCUMENT NUMBER - DATE
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Internet E-mail: contact@psc.state.fl.us

ROBERT D. HARRIS, ARCHITECT
615 PLAZA DEL SOL
N. FT. MYERS, FL 33917

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JAN 21 1999

Florida Public Service Commission
Division of Water and Wastewater

January 18, 1999

Roger Maynard, Reg. V. Pres.
MHC, Inc.
2210 N. Tamiami Trail
N. Ft. Myers, Fl. 33917

re: Sewer/Utility Corp. pass-on-fee/s

Dear Mr. Maynard,

Thankyou for your January 13, 1999 letter explaining some what your position in the volatile concerns of the sewer matter. While confirming your position your letter does not indicate the proposed costs of up-dating the on-site package plant nor why the \$10,500 fines were levied, therefore it is easy to assume you chose the most expedient solution to reducing overhead here in Buccaneer Estates by jumping on an opportunity to connect to a municipal (?) sewer system.

I just received a \$23 bill for one months modest (3 M gals) sewer usage and am flabbergasted by the extremely high additional costs we are expected to pay. No, I don't think these are simply State endorsed pass-on-fees. If these fees represent your past costs for providing this service than you have grossly under estimated the rent reduction.

Mr. Maynard we just purchased our residence last spring and were told by your in-house realtor there would be no up-charges because of impending sewer considerations then in the wind. We also owned a home for a year or so on Avanti way several years ago and really think this community is one of the finest in Florida. But please be advised that the Owners place this outstanding development in jeopardy by "nickel & dime" management decisions which we do not think existed under the previous managements tenure.

Please keep this home of ours as beautiful as it is by keeping your profit to a reasonable limit.

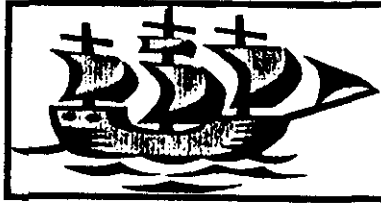
Thank you

Very truly yours



RDH/

c/c bill lowe, Asst. Director, PSC ✓



BUCCANEER HOMEOWNERS' ASSOCIATION

495 Avanti Way Boulevard
North Fort Myers, Florida 33917

January 19, 1999

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JAN 21 1999
Florida Public Service Commission
Division of Water and Wastewater

Mr. William Lowe, Assistant Director
Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32339-0850

Re: Representation at Public Service Commission Hearing on Docket 981781-SU

Dear Sir:

We, the undersigned, request that the Office of Public Counsel, namely Jack Shreve and Stephen Reilly, represent the residents of Buccaneer Estates to the Public Service Commission in the dispute as detailed in Docket 981781-SU.

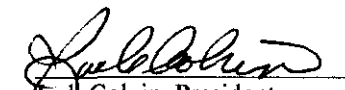
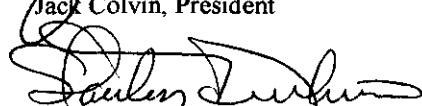
On October 15, 1998 a meeting was held between the Homeowners Committee and the park manager to discuss a reduction in services or utilities and a change in lot rental amount. No agreement was reached. Subsequently, a Petition for Mediation was filed with the Department of Business Regulation, Bureau of Mobile Homes, Mediation Department, Attention: Jack Dartigacongue, along with 680 ballots from the residents of Buccaneer Estates, authorizing us to act on their behalf in this dispute.

We contacted Stephen Reilly, Associate Public Counsel, for assistance and have continued to work with him to prepare our objection to the specifics outlined in Docket 981781-SU before the Public Service Commission.

Mediation is scheduled on January 20, 1999 at Buccaneer Estates.

To insure proper dissemination of information, we reiterate our request that the Office of Public Counsel be assigned as our representative before the Public Service Commission.

Sincerely,


Jack Colvin, President

Stanley Durbin, First Vice President

Cc: Jack Shreve, Office of Public Counsel
Stephen Reilly, Office of Public Counsel
Robert Burandt, Attorney at Law

ROBERT D. HARRIS, ARCHITECT
615 Plaza Del Sol
N. Ft. Myers, Fl. 33917

January 18, 1999

State of Florida PSC
Capital Circle Office Ctr.
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

Attn: bill lowe, Asst. Director

re: Docket #981781-SU/your letter 1/13/99

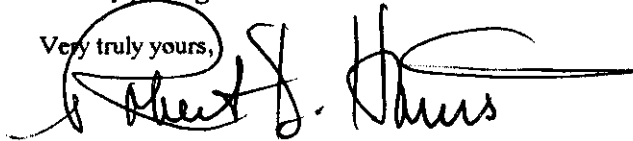
Dear Friends,

Please place my 12/8/98 letter in the Commission's file for their perusal along with this letter as it may be impractical for us to attend a formal hearing. Never the less we wish to draw your attention to the matter of agency abuse of power in extending service beyond their regulatory boundaries on the ill advised consent order from another regulatory agency(DEP).

Along with your letter a bill from North Fort Myers Utility Corp. came another bill for \$22.92 for one months (3M gal) usage. This far exceeds the previous payments for similar usage by our land lord even giving credit for the very slight reduction in rent. While this may be unimportant to some people, it is significant to the 970 prox. senior people owners of mobile homes here in Buccaneer Estates. Add to this the onerous assessment by the utility company of over \$500 with interest for each of the owners for a one point sewer interface connection charge and you can see why the objection to their application.

Being more than passively knowledgeable about sanitary sewage disposal systems (I design them as a Professional) I really object to the inference that because of a \$10,500 fine for "operational" housekeeping problems the land owner had very little choice in the matter. No where has the cost of correcting the plant deficiencies been addressed in any correspondence received here to fore. Therefore one can only conclude the land owner saw an inexpensive way to reduce his maintenance costs by passing on the sewer fees to his tenants.

Very truly yours,



RDH
c/c Roger Maynard, Reg. V.P. MHC, Inc.

Encl.

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JAN 21 1999

Florida Public Service Commission
Division of Water and Wastewater

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