

State of Florida



Public Service Commission

ORIGINAL

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

DATE: January 5, 2000

TO: Division of Records and Reporting

FROM: Patricia Brady, Division of Water and Wastewater *pb jw*

RE: Docket No. 991056-SU, Application for transfer of Certificate No. 456-S from Del Vera Limited Partnership to Coolidge-Ft. Myers Realty LP d/b/a Heron's Glen Utilities in Lee County.

Attached for inclusion in the docket file is a copy of a January 3, 2000 letter from Mr. F. Marshall Deterding, attorney for the buyer, to Ms. Ranae Frazier, former accountant for the seller, indicating why the buyer is declining the request for payment for work alleged performed for staff's audit.

Attachment

cc: Division of Legal Services (Fudge)

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC 1
- VAW _____
- OTH _____

DOCUMENT NUMBER-DATE

00379 JAN 10 8

FPSC-RECORDS/REPORTING

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January 3, 2000
VIA TELECOPY & U.S. MAIL

ROBERT M. C. ROSE
OF COUNSEL

Ranae Frazier
11915 King James Court
Cape Coral, FL 33991

RECEIVED

JAN 3 - 2000

Florida Public Service Commission
Division of Water and Wastewater

Re: Heron's Glen Utilities; PSC Docket No. 991056-SU
Application Transfer of Wastewater Certificate - Utility Cost Records of Del Vera
Our File No. 34073.01

Dear Ms. Frazier:

During our last discussion, I had asked that you coordinate with the auditor to allow her the opportunity to go through whatever records you had access to that might be related to the above-referenced Utility. In the meantime, I had heard nothing from you until I had received your letter indicating that you had spent twelve hours going through documents yourself, without the auditor involved. This is contrary to the agreement that we had by phone, and as such, I do not feel it is appropriate for my client to pay you for actions taken by you that are contrary to those we requested of you. From the work you have done, we still do not know whether some of that information would have been useful to Kathy Welch (the PSC Auditor), or some of that which you overlooked might have been useful to her. That is why we asked that she be allowed to go through the records. I have discussed this with Kathy and she agrees that your review of the records was of no use to her.

For these reasons, we are declining your request for payment for the work allegedly performed by you. We do appreciate your willingness to assist us and to the extent the auditor feels the need to further review the records which you have located, we will contact you and gladly pay you for overseeing the auditor's review at that time.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP


F. Marshall Deterding
For The Firm

FMD\atmg

cc: Ms. Kathy Welch
Ms. Pat Brady
Douglas Cordello, CFO
Mr. Bill Kouwenhoven

herons\2frazier.ltr