

STATE OF FLORIDA

Commissioners:  
JOE GARCIA, CHAIRMAN  
J. TERRY DEASON  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER



DIVISION OF LEGAL SERVICES  
NOREEN S. DAVIS  
DIRECTOR  
(850) 413-6199

**Public Service Commission**

May 30, 2000

David B. Erwin, Esquire  
127 Riversink Road  
Crawfordville, Florida 32327

**VIA FACSIMILE  
AND U.S. MAIL**

Re: Docket No. 990975-SU - Application for transfer of Certificate No. 281-S in Lee County from Bonita Country Club Utilities, Inc. to RealNor Hallandale, Inc.

Dear Mr. Erwin:

I am writing to follow-up our conversation in which I told you that the Commission had received a protest letter and a disbursement request from Mr. Miceli. Due to the fact that the letters do not indicate that copies were provided to you or your client, RealNor Hallandale, Inc. (RealNor), I am enclosing them for you. As you are aware, Order No. PSC-00-0579-PAA-SU, issued March 22, 2000, in the above-referenced docket was consummated by Order No. PSC-00-0755-CO-SU, issued April 17, 2000. Staff is preparing a recommendation to address both of Mr. Miceli's letters and would like to know what, if any, reliance RealNor has placed on the Commission's Final Order.

Should you have any questions, please contact me at (850) 413-6185.

Sincerely,

Attorney  
D. Tyler Van Leuven

DTV/dm

cc: Division of Regulatory Oversight (Johnson, Redemann, Messer)  
Division of Auditing and Financial Analysis (Welch)  
By U.S. mail only to the following:  
Roy C. Young, Esquire  
G. Helen Athan, Esquire  
Mr. Michael J. Miceli

F:\990975PL.DTV

DOCUMENT NUMBER - DATE

0664 | MAY 31 8

FPSC-RECORDS/REPORTING

**BONITA COUNTRY CLUB UTILITIES, INC.  
10200 MADDOX LANE  
BONITA SPRINGS, FLORIDA 34135  
(941) 992-6564 FAX (941) 992-0822**

May 11, 2000

Tyler Van Leuven  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

MAY 15 2000  
FLORIDA PUBLIC SERVICE COMMISSION  
LEGAL DIVISION

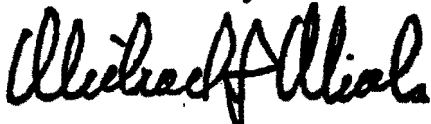
Re: Outstanding invoices

Dear Mr. Van Leuven;

Enclosed please find copies of invoices due from the Bonita Country Club Utilities, Inc. We are requesting authorization from the commission to pay these long overdue invoices. According to the commissions' order RealNor-Hallandale is responsible for payment of these bills. There is a reserve of cash in the escrow account that can be applied toward these balances.

Your consideration in this matter would be greatly appreciated.

Sincerely,



Michael J. Miceli  
President

Cc: Rosanne Gervasi

JOSEPH MICELI

# Invoice

1400 Gulf Shore Boulevard, Suite 224  
Naples, Florida 34102  
(941) 262-7774 Fax (941) 262-5988

DATE	INVOICE #
5/1/00	2045

BILL TO
BONITA COUNTRY CLUB UTILITIES, INC. 10200 MADDOX LANE BONITA SPRINGS, FLORIDA 34135

P.O. NO.	TERMS	PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
	LOAN	150,000.00	150,000.00
<b>Total</b>			<b>\$150,000.00</b>

PLATINUM COAST

# Invoice

1400 Gulf Shore Boulevard, Suite 224  
Naples, Florida 34102  
(941) 262-7774 Fax (941) 262-5988

DATE	INVOICE #
5/1/00	1075

BILL TO
BONITA COUNTRY CLUB UTILITIES, INC. 10200 MADDOX LANE BONITA SPRINGS, FLORIDA 34135

P.O. NO.	TERMS	PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
	NEW PLANT CONSTRUCTION -BALANCE DUE	111,683.36	111,683.36
		<b>Total</b>	<b>\$111,683.36</b>

PLATINUM COAST

# Invoice

1400 Gulf Shore Boulevard, Suite 224  
Naples, Florida 34102  
(941) 262-7774 Fax (941) 262-5988

DATE	INVOICE #
5/1/00	1076

<b>BILL TO</b>
BONITA COUNTRY CLUB UTILITIES, INC. 10200 MADDOX LANE BONITA SPRINGS, FLORIDA 34135

P.O. NO.	TERMS	PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
	LAND PURCHASE	60,000.00	60,000.00
	INTEREST @ 8% 1999	4,800.00	4,800.00
	INTEREST @ 8% 1998	4,800.00	4,800.00
	INTEREST @ 8% 1997	4,800.00	4,800.00
	INTEREST @ 8% 1996	4,800.00	4,800.00
	Sales Tax	6.00%	0.00
<b>Total</b>			<b>\$79,200.00</b>

# STATEMENT

DATE	INVOICE #
05/01/00	8691

**PLATINUM COAST FINANCIAL**  
**1400 GULF SHORE BLVD., SUITE 224**  
**NAPLES, FLORIDA 34102**  
**(941) 262-7774 FAX (941) 262-5988**

<b>BILL TO</b>
Northern Trust Bank C/O Kieth Wickenden Grant, Fridkin & Pearson, P.A. Pelican Bay Corporate Centre 5551 Ridgewood Drive, Suite 501 Naples, Florida 34108

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Land Lease 1995	1,060.00	1,060.00
10	Land Lease 1996	1,060.00	10,600.00
2	Land Lease 1996	1,086.50	2,173.00
10	Land Lease 1997	1,086.50	10,865.00
2	Land Lease 1997	1,113.65	2,227.30
10	Land Lease 1998	1,113.65	11,136.50
2	Land Lease 1998	1,141.49	2,282.98
10	Land Lease 1999	1,141.49	11,414.90
-4	July - October 1999	1,149.49	-4,565.96
2	Land Lease 1999	1,170.03	2,340.06
5	Land Lease 2000	1,170.03	5,850.15
<b>CURRENT</b>	<b>1-30 DAYS PAST DUE</b>	<b>31- 60 DAYS PAST DUE</b>	<b>AMOUNT DUE</b>
\$1,170.03	\$1,170.03	\$00.00	\$55,383.93

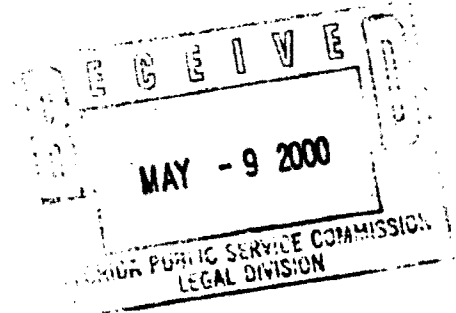
# BONITA COUNTRY CLUB UTILITIES, INC.

10200 Maddox Lane • Bonita Springs, Florida 34135

Accounting Office (941) 992-6564 • Wastewater Plant (941) 498-9949

May 5, 2000

D. Tyler Van Leuven  
Staff Attorney  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



Re: Docket No. 990975-SU  
Order No. PSC-00-0579-PAA-SU

Dear Mr. Van Leuven:

Your letter of April 28, 2000 states that Bonita Country Club Utilities did not show cause, in writing, in a timely manner, to the late filing of the 1998 Annual Report and therefore is being assessed a penalty. I am unclear whether you are stating I did not show sufficient cause or if you did not receive the letter. I am enclosing a copy of the letter sent dated April 3, 2000 addressing the Commissioners. This letter explained the utilities situation and concerns.

Please contact me at soon as possible to discuss this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Miceli". The signature is written in a cursive, flowing style.

Michael J. Miceli  
President

# **BONITA COUNTRY CLUB UTILITIES, INC.**

10200 Maddox Lane • Bonita Springs, Florida 34135

Accounting Office (941) 992-3564 • Wastewater Plant (941) 498-9949

April 3, 2000

Commissioners  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 990975-SU  
Order No. PSC-00-0579-PA4-SU

Dear Commissioners:

Bonita Country Club Utilities only source of income is through its monthly sewer service billing. Since October 1999 we have been placing all of the revenues into the escrow account, of which we both have to sign off of to draw funds. I have just received the "Order Approving Transfer and Initiating Show Cause" which indicates that we must pay penalties and interest on the Regulatory Assessment Fee and Annual Reports for 1998 because they were not filed on time. However you are not going to release the funds from the escrow account to pay them with. Where is the utility supposed to get the funds to pay these assessments? The filing of the 1998 Annual Report will require the services of an accountant, but again you give us no funds to hire this service.

Shouldn't all of the revenues belong to BCCU to satisfy the various debts that were part of the property, such as the land purchase and pond lease? The order seems to be void of any language like this. During this period didn't the utility belonged to us? Shouldn't the revenues of that period belong to us as well?

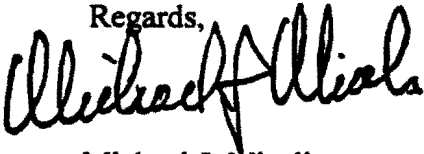
Page 7 of the "Order Approving Transfer and Initiating Show Cause"; paragraph 3 states "Based on the application, Realnor will fulfill all commitments, obligations, and representations of the prior owners with respect to utility matters." This statement indicates the Realnor Hallandale is responsible for these penalties and interest as well as the other outstanding debt of the utility.

How can you only reimburse us for minimal expenses and yet give all of the remaining revenues to Realnor. Should they not only receive compensation for their actual expenses as well?



I feel that the Order does not fairly answer all of the questions and problems that exist. Therefore we would like to appeal the Order and request a revue of the issues, as I feel your ruling was unfairly done.

Regards,

A handwritten signature in black ink, appearing to read "Michael J. Miceli". The signature is written in a cursive style with a large initial "M".

Michael J. Miceli  
President