

State of Florida



Public Service Commission
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APR 27 11:10:19
RECEIVED P. 000

DATE: April 27, 2001
TO: Division of Records and Reporting (Bayo)
FROM: Division of Legal Services (Jaeger) [Signature]
RE: Docket No. 001118-WU - Application for staff-assisted rate case in Polk County by Keen Sales, Rentals and Utilities, Inc. (Sunrise Water Company).

Please place the attached facsimile from J. Ray Keen, dated April 26, 2001, in the above-referenced docket file.

Thank you.

RRJ/lw

cc: Division of Economic Regulation (Rendell, Crouch)
Melinda Butler, Commissioner Aide
Bill Berg, Commissioner Aide
Joann Chase, Commissioner Aide
Ignacio Ortiz, Commissioner Aide
Katrina Tew, Commissioner Aide

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RECORDS AND REPORTING

FAX TRANSMISSION

TO: MR. RALPH JAEGER - ATTORNEY - FLORIDA PUBLIC SERVICE COMMISSION
FROM: J. RAY KEEN - KEEN SALES, RENTALS AND UTILITIES, INC.
DATE: APRIL 26, 2001
SUBJECT: FAX TRANSMISSION

*****THIS FAX CONTAINS 5 PAGES INCLUDING THIS ONE.*****

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 863-421-6827

KSRU

Keen Sales, Rentals and Utilities, Inc.

685 Dyson Road
Haines City, FL 33844
Business Phone 863-421-6827

April 26, 2001

Mr. Ralph Jaeger, Attorney
Florida Public Service Commission
2540 Shumard Oak Drive
Tallahassee, Florida 3239-0850

RE: Docket #001118-WU - Rebuttal on Issues

Dear Mr. Jaeger:

As per your conversation yesterday with my secretary regarding the above issue going before Agenda on May 1, 2001, we would like for you to submit the following rebuttals to issues raised in the Docket:

1. Foremost - Mr. Keen has always had 100% control of all the companies - even when downed by a broken hip. Although he may have been under anesthesia for a period of days, when he awakened he handled any and all problems. He has consistently maintained control of all personell. Problems occur - situations are handled - his capacity to perform all job classifications has not been hindered. He used his vacations days as sick days.
2. On page 5 a statement is made that documentation had been sent to us. It is further stated that these items had not been returned to the FPSC, which, they take as proof of them being sent. In fact, we have proved to the FPSC that these documents have not been sent to us, and that we received them from the previous owners.

3. Maintenance Man -- We fully understand we have a problem here. We are actively trying to recruit a replacement. He has been reprimanded on all allegations and is being closely monitored by office personell and Mr. Keen.
4. We read the Sunrise water meters on the 26TH day of each month; excluding weekends. The bills are rendered by no later than the 1ST day of the billing month. We have documentation sustaining these facts. Each and every bill sent out by our company is individually monitored and hand stamped. We cannot control the Post Office or their delivery of mail.

Also, there has NEVER been a three week or five week reading of the meters. They are ALWAYS read on the 26TH of the month or as close as a regular work day week occurs.

5. Late notices are sent out after the 20TH of each month. The individuals who spoke at the meeting are individuals who pay their bills in a timely manner; therefore, they would have no knowledge of late notices. We allow the five (5) working days notice to those individuals who do not pay their bills in a timely manner.

Also, any individual who calls our office and states a valid reason they cannot pay their bill in a timely manner is automatically given an extension.

6. Rudeness of employees - the office staff maintains the utmost of decorum with customers. The majority of customers who call when they have a problem are already upset and confrontational.

They call regarding non-payment of an \$9.03 water bill. The staff tries to speak with these individuals but does not have to tolerate abusive and foul language. Any hang ups occurred after considerable abuse and prior to the hang up the customer is informed they are being abusive and asked to calm down. When they do not, they are told they are going to be hung up on and to have a nice day. Never is it done in anger on the company's part.

On page 11 it is stated that a customer was called a "liar". This has and never would occur.

7. Contact of owner - on page 10 under After Hours Emergency Service it is stated that Mr. Keen's home number is unlisted. This, in fact, is true. We have an emergency beeper number which is on each bill and also posted at the pump house. The office is equipped with an answering machine - therefore, no calls are ignored or unanswered.

On page 11 it is stated that a customer called Mr. Keen at home. As stated above, Mr. Keen's home phone is unlisted. So this statement is also untrue.

8. Rebuttal to written complaints - We have not received any copies of letters written to the FPSC regarding this rate case. On page 7 of the Docket being submitted to Commission on May 1, 2001, it states that there were thirty (30) customers attending the meeting and twelve (12) letters written. On page 16 it is stated that twenty-nine (29) customers attended the meeting and eleven (11) letters were written. Which is the correct figure?

We would also like copies of these letters. We do not mind if the name and address is marked out; we would just like to be able to address any issues that haven arisen from them.

Also, how can judgement claims by the primary staff be made in a staff recommendation without the utility having knowledge of the claims and a chance to rebut? This also holds true for the final staff recommendation for Agenda to be held on May 1, 2001. We received a copy of the document on April 24, 2001. This leaves absolutely no room for rebuttal; however, we realize we have a twenty (20) day period to rebut the Commission after they have reached a decision. Our main disagreement is the fact that negative statements will be entered into record without our being able to address them.

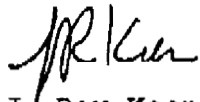
We firmly believe that primary staff did absolutely no inquiry into the complaints rendered at the customer meeting and in writing. In the previous rate case the complaints were investigated by the FPSC and letters sent out from the FPSC stating that they were unfounded.

9. On page 8, it is stated that a customer stated that the water was off for three (3) days and her son-in-law fixed the problem. This problem occurred just after we had acquired the system. The statement that her son-in-law fixed the problem is totally untrue. The water was off due to a line being broken

by children who live in the development. The break occurred in an area not easily accessible. When it was discovered the son-in-law did assist with the final repair and was compensated for his help.

In conclusion, we feel that primary staff is biased against our company and is using this rate case to vent their feelings. We do not feel that this case was given the same considerations by primary staff as the last one and respectfully request that any determinations be closely scrutinized by all prior to any statements being entered into record.

Sincerely,



J. Ray Keen
President

JRK/mmc

cc: Mr. Leon Jacobs
(Please distribute to all Commissioners)