

BUSH ROSS GARDNER WARREN & RUDY, P.A.

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RICHARD B. HADLOW
HEIDI L. HOBBS
ANDREW T. JENKINS
BRENT A. JONES
A. CHRISTOPHER KASTEN, II

ATTORNEYS AT LAW
220 SOUTH FRANKLIN STREET
TAMPA, FLORIDA 33602

(813) 224-9255
FAX (813) 223-9620

MAILING ADDRESS
POST OFFICE BOX 3913
TAMPA, FLORIDA 33601

ROBERT F. MACKINNON
MICHAEL G. MARDIS
BRIAN T. MCELFRICK
S. TODD MERRILL
STEVEN H. MEZER
JENNIFER GALLOWAY PIKE
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October 10, 2002

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

021051-EI

Re: Public Service Commission Complaint

Dear Sir or Madam:

Please be advised that our firm serves as general counsel for The Links Homeowners Association, Inc. ("The Links"). This office has been instructed by The Links to contact the Florida Public Service Commission in order to file a formal complaint against Tampa Electric Company ("TECO").

On or about May 28, 2002, The Links received the first of three dunning notices from Allied Interstate, Inc., a collection agency acting on behalf of TECO. Copies of the aforementioned dunning notices are attached hereto and incorporated herein as part of The Links' formal complaint. Based on the attached notices from Allied Interstate, Inc., TECO is seeking to collect \$8,874.19 from The Links for services provided pursuant to account number 8457839.

Apparently, TECO is seeking to collect monies from my client for street lighting services which were allegedly provided by TECO within The Links which is a subdivision within Bloomingdale. My client, however, did not initiate the service in the above-referenced account. Apparently, service was initiated by the developer of the subdivision, as there were no prior bills sent to The Links prior to the recent collection efforts of TECO.

In reviewing this matter, we have determined that other portions of the same subdivision, *i.e.*, Bloomingdale Section AA/GG, Unit 3 Phase 1 Plat Book 75, Page 30 and Bloomingdale Section AA/GG, Unit 3 Phase 2 Plat Book 78, Page 36 are part of the lighting district number 514. Unit 3 Phase 1 was added to the lighting district in 1996, while Unit 3 Phase 2 (the area in question) was not added to the lighting district until 2001.

Based on the foregoing, it should be clear that The Links has no responsibility for the street lights and that the original plan and scheme of the development contemplated submission of these lights to the lighting district. For reasons which are not within the knowledge or control

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of my client, these lights were not timely submitted to the lighting district. Obviously, TECO is attempting to capitalize on the foregoing error at the expense of my client.

On or about August 23, 2002, this firm provided TECO with a detailed explanation of the foregoing circumstances and requested TECO's prompt response. When no response was obtained from TECO, this office sent another letter on September 25, 2002 requesting an immediate response. Again, no response was received by this office from TECO, nor was our client contacted either. Copies of the aforementioned letters are attached hereto as part of this complaint.

Under the circumstances, I am writing on behalf of The Links to request that the Florida Public Service Commission investigate the matter described hereinabove. Further, I respectfully request that, based on the evidence outlined hereinabove, the Florida Public Service Commission determine that my client is not responsible for the monies TECO claims to be due and owing.

As we have indicated to TECO, The Links is more than willing to cooperate with the efforts of TECO to pursue collection of this account from the developer or from the lighting district or from any other party other than The Links. Clearly, The Links has no liability for this account and we are requesting that TECO cease collection efforts directed toward The Links immediately.

If I may be of further assistance to you with regard to this matter, please let me know. Thank you for your prompt and personal attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric N. Appleton". The signature is fluid and cursive, with a large initial "E" and "A".

Eric N. Appleton for
Steven H. Mezer

ENA/kaw
cc: The Links Homeowners Association, Inc.
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