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State of Florida



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: November 14, 2002
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Holley) *YAM*
RE: Docket No. 020896-WS - Petition by customers of Aloha Utilities, Inc. for deletion of portion of territory in Seven Springs area in Pasco County.

Please file the attached letter from V. Abraham Kurien, M.D., dated November 9, 2002, in the docket file for the above-referenced docket.

LAH/dm

cc: Division of Economic Regulation (Willis, Walden)
Division of Consumer Affairs (Lowery)
Office of the General Counsel (McLean)

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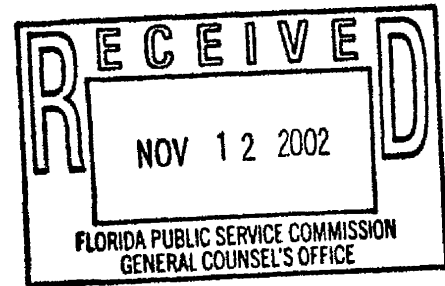
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V. Abraham Kurien, M.D
1822 Orangedrove Avenue,
NEW PORT RICHEY, FL 34655

Harold McLean Esq.
General Counsel,
Public Service Commission,
2540 Shumard Oak Boulevard,
TALLAHASSEE, 32399-0850



November 9, 2002

Dear Atty McLean,

RE: Docket No 020896-WS

At the request of 1491 customers of Aloha Utilities in the Seven Springs Area, I forwarded to the PSC commission on July 16, 2002 a petition, which has been given the above docket number. After consulting with Atty Lorena Holley of the PSC, I forwarded an initial rebuttal to the 'Motion to Dismiss' the above petition filed by Aloha Utilities. Again on November 4, after consultation with Atty Holley I forwarded additional arguments to facilitate the Commission's consideration of Aloha's Motion to Dismiss.

I understand that Aloha Attorney Mr Deterding has now filed a motion to strike my presentation to the PSC dated November 4. Obviously the PSC will determine if there is any legal validity for his arguments in this regard. More important to me and to the petitioners is Mr Deterding's accusation that I am indulging in the "unauthorized practice of law" in my use of the phrases such as 'representative of certain customers', 'on behalf of the petitioners' or similar language.

In my first communication to the PSC in my rebuttal to the Motion to Dismiss, I had indicated that I had no legal training and that I would leave it to the attorneys of the PSC and the OPC to discuss the legal validity of Aloha's motion. I filed an additional communication, only after consulting with the PSC attorney Holley about whether I could make another submission detailing the provisions of Chapter 367, which was quoted by an Aloha Attorney on August 20. *I had no intention of legally representing the petitioners; the citizens are being represented by the Office of Public counsel. I was only representing them in the 'democratic' sense.*

I submit that Mr Deterding's accusation that I have indulged in the 'unauthorized practice of law' is an attempt to intimidate the petitioners and me. Since the Public Service Commission is the *'judicial authority or court' before whom I acted on behalf of the petitioners*, I would seek a clarification from you as to how I should address the PSC in the future in this matter.

Obviously 1491 customers cannot come to Tallahassee to present their arguments to the PSC!
Nor perhaps would you want them to!

I would appreciate an urgent reply to this letter, as there is an agenda conference scheduled to consider this matter on November 19, 2002 and as a petitioner I would like to be ***absolutely clear how I can and should respond to this situation.*** I was planning to be at that meeting along with another customer who has been granted the 'intervener' status.

Yours sincerely

V. Abraham Kurien
V. Abraham Kurien, M.D.

cc. Sen. Mike Fasano
Atty Steve Burgess, OPC