

ORIGINAL

Attached is documentation of problems in Mobile Manor subdivision. This change by Mobile Manor Inc would allow them to levy uncontrollable costs to the residents of this subdivision and should not be allowed to happen.

AUS	_____
CAF	_____
CMP	_____
COM	_____
CTR	_____
ECR	_____
GCL	_____
OPC	_____
MMS	_____
SEC	<u> F </u>
OTH	<u> Faye </u>

My property has NEVER been a part of Mobile Manor Inc. I pay my taxes to Lee Co. Of Florida and am against any proposal that forces me to join an organization just so I can receive water to my home.

This letter supports the documentation attached written by Peter Rambo of the same subdivison.

Faye Mac Kenzie
208 Lamplighter Lane
N. Ft. Myers, Fl.

*F. MACKINSEY
208 LAMPLIGHTER
N. FT. MYER FLA.
33917*

RECEIVED

DOCUMENT NUMBER DATE 01044 FEB-38

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FPSC-COMMISSION CLERK

Attention: Director
Division of the Commission Clerk & Administrative
Services
Florida Public Services Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The following attachments have also been sent to:

Florida State Attorney
Lee Co. Utilities
Wink T.V.

Attention: Director
Division of the Commission Clerk & Administrative
Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Reference: Docket No. 021251-WU

A serious problem is developing in the Mobile Manor Subdivision in N. Ft. Myers Florida.

Notice has been given to nonmembers of Mobile Manor Inc. an association within Mobile Manor Subdivision that has been granted the exclusive right to provide water to the Mobile Manor Subdivision, that they will no longer provide water to nonmembers of their association, if they are granted their request for cancellation of certificate #056-w by the Florida public service commission (copy of letter attached).

The nonmembers have also been told that they cannot have service from N. Ft Myers public utilities, leaving them with no water service.

The Mobile Manor Inc. Association has harassed the nonmembers within the subdivision every year with a new threat to their property to force them to join their association. A few years ago the Mobile Manor Association was taken to court for similar actions, and the nonmembers were awarded a judgment by the judge stating that Mobile Manor was a subdivision, since all residents own their property, and pay taxes to Lee Co. Fla.

If they are allowed to cancel the agreement then some provision would have to be made to allow service from N. Ft. Myers utilities.

Any help you can give in this matter will be greatly appreciated.

Attention: Director

Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Reference: Docket No. 021251-WU Attachments: Notices mailed to Nonmembers.

In reference to Docket No., 021251-WU whereby notice was mailed to residences of Mobile Manor Subdivision who did not belong to Mobile Manor Inc. It is believed that there are over 100 residences within Mobile Manor Inc. who do not belong to the Mobile Manor Inc. Association. These residences own the property that the homes are located on and pay taxes to Lee County Florida. Mobile Manor Inc. an association have tried every year to come up with an idea that would force the non-association members to join with them. I believe that this request to cancel certificate number 056-W is nothing more than an illegal scam to force the nonmembers to join their association and pay \$156.00 per year to be able to receive water service. The water mains were installed in the subdivision over 40 years ago and all private properties in the subdivision have been receiving water service for over 40 years.

The clubhouse, office and park area are owned by Mobile Manor Inc. an association within the subdivision and are used exclusively by the members of Mobile Manor Inc. Association. Nonmembers within the subdivision are not permitted to use the facilities owned by the Mobile Manor Association.

Profits from the sale of water service has been used for upkeep of the service and any profit left over has been used by the association. Many members of the association have tried to force the association to audit their books to no avail. Approximately 20 years ago the nonmembers went to court and won a judgment that proclaimed Mobile Manor property a subdivision and not an association. Granting the request made by Mobile Manor Association Inc. would provide a hardship on many of the senior citizens of Mobile Manor Subdivision who have no need of belonging to the association.

If the Florida Public Service Commission allows this to happen they will become a party to this scam by the association. **Please do some checking before finalizing their request.**

I believe its a scam and is illegal since it is the only source of water available to residents of Mobile Manor Subdivision.

Yours truly,

Peter C Rambo
168 Lamplighter Lane
N. Ft. Myers, Fl 33917

PS Please reply in writing with your decision.

Mobile Manor, Inc.

1000 ...
Mobile, AL 36688
205-525-2100

January 7, 2003

TO: All Mobile Manor Owners/Residents

Dear Mobile Manor Neighbor,

Mobile Manor Inc. has applied for cancellation of its certificate to operate as a public water company.

This means that as soon as this process is complete, we will no longer be permitted to sell water to owners/residents who are not members of Mobile Manor Inc.

Membership fees are still \$156.00 per year or \$13.00 per month. There is no initiation fee required.

Once cancellation is completed our water rates will no longer be set by the Public Service Commission, but will be established by the Board of Directors and approved by the membership of Mobile Manor, Inc. at the monthly meetings of the association.

If you have any questions, please contact Carol at the office (543-1414).

Sincerely,

K. R. Hoffman

*K. R. Hoffman, President
Board of Directors*

LEGAL NOTICE

**Pursuant to
Section 367.022(7), Florida Statutes**

Notice is hereby given on January 7, 2003, pursuant to Section 367.002(7), Florida Statutes, of the request for acknowledgment of non-profit exemption and for cancellation of Certificate No. 056-W by Mobile Manor, Inc., which is providing water service to the following described territory in Lee County, Florida.

Mobile Manor, a subdivision in the Northwest ¼ of Section 31, Township 43 South, Range 25 East and the Northeast quarter of Section 36, Township 43 South, Range 24 East, Lee County, Florida

Any objection to the said request must be made in writing and filed with the Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must reference Docket No. 021251-WU and state the grounds for the objection with particularity.

**Mobile Manor, Inc.
150 Lantern Lane
N. Ft. Myers, FL 33917
(239) 543-1414**