



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

DATE: March 28, 2003
TO: Division of the Commission Clerk and Administrative Services
FROM: Division of Economic Regulation (Brady) *pb ps*
RE: Docket No. 021251-WU, Request for acknowledgment of nonprofit exemption in Lee County and for cancellation of Certificate No. 056-W, by Mobile Manor, Inc.

Please add to the docket file the attached letter dated March 25, 2003, from K. R. Hoffman, for the utility, to Ms. Patti Daniel, Commission staff. The letter is the utility's response to staff's February 24, 2003, letter of inquiry.

Attachment

cc: Division of Economic Regulation (Bass)
Office of the General Counsel (Holley, Rodan)
Division of the Commission Clerk and Administrative Services (security file)

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DATE

02924 MAR 28 03

FPSC-COMMISSION CLERK

Mobile Manor Inc.

150 Lantern Lane
N. Ft. Myers, FL 33917
(941) 543-1414
MobileManorInc@AOL.com

March 25, 2003

Ms. Patti Daniel
Supervisor of Certification
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED
FLORIDA PUBLIC SERVICE
COMMISSION
03 MAR 27 PM 1:05
DIVISION OF
ECONOMIC REGULATION

Re: Docket #021251-WU Letter of March 12, 2003

Dear Ms. Daniel:

Attached is our letter, dated March 12, 2003, in response to your letter of February 24, 2003.

We composed our letter and sent it to our corporate attorney for his opinion. Due to serious illness, he has been unable to respond. Therefore we are sending it to you without benefit of legal council.

We have tried to answer your questions to the best of our abilities and hope we have done so successfully.

Should you have further questions, please feel free to contact me.

Sincerely,



K. R. Hoffman, President
Board of Directors
Mobile Manor, Inc.

Cc: Board of Directors
Wade Parsons, Attorney

Mobile Manor Inc.

*150 Lantern Lane
N. Ft. Myers, FL 33917
(941) 543-1414
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March 12, 2003

*Ms. Patti Daniel
Supervisor of Certification
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850*

Re: Docket #021251-WU Letter of February 24, 2003

Dear Ms. Holley:

Before replying to your letter of February 24, 2003, we held a meeting of our Board of Directors to discuss your questions and work together to form our reply.

- 1. Mobile Manor, Inc. has tried for 20 years to establish membership of all its owner/residents. This has been attempted by voluntary methods, and during the last 6 years we have made giant steps forward in that direction with the sale of properties and the desire of the new owners to become members.*

We have included a few letters, etc. that we pulled from our files to verify these attempts.

- 2. To the knowledge of the members of this Board and the Manager, there has never been an attempt by Mobile Manor, Inc. to require non-members receiving water service to join the Corporation. However, we have always encouraged non-members to join Mobile Manor, Inc.*
- 3. Non-members will continue to receive uninterrupted water services, at no charge, until such time as a civil suit can be resolved in the local courts.*

4. *No. If its certificate is cancelled, and Mobile Manor is unsuccessful in a civil court, then Mobile Manor, Inc. will reapply to the Florida Public service Commission for a new water certificate. We have discussed this with representatives of the PSC and understand that there would be a \$750.00 charge to obtain a new certificate.*
5. *No, Mobile Manor has not attempted to work with Lee County to obtain service for those residents who are non-members*

I hope that this answers your questions, but should you need further information, please feel free to contact me.

Sincerely,



*K. R. Hoffman, President
Board of Directors
Mobile Manor, Inc.*

*Cc: Board of Directors
Wade Parsons, Attorney*

AFFADAVIT

We, the undersigned members of the Board of Directors of Mobile Manor Inc., do solemnly swear under the penalties of perjury (as stated in Florida Statute 837.06) that the answers given in reply to the request of Ms. Patti Daniel's letter of February 24, 2003, are honest and accurate to the best of our knowledge.

R. R. Hoffman

Fae O'Connell

Orin Lee

Carolee A. McManis

[Signature]

Robert L. Edwards

Margaret Morrison

State of Florida

County of Lee

I hereby certify that on this 26th day of March, 2003, before me, a notary public, Personally appeared the above members of the Board of Directors of Mobile Manor Inc., who are personally known to me and executed the foregoing instrument.

Witness my hand and seal in the County and State last aforesaid.

Carol R. Julius
Carol R. Julius, Notary Public



Carol R. Julius
Commission # DD083136
Expires Jan. 9, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

December 1991

TO: ALL MOBILE MANOR RESIDENTS;

FROM: MOBILE MANOR SUBDIVISION OFFICERS AND BOARD DIRECTORS

There are a number of reasons why it is necessary to contact every year round, or part time, residents of Mobile Manor at this time.

First of all, it is imperative that we forgive & forget anything that went on in the past, and that we now become one voice-one vote.

Some of the reasons why are:

We have been advised that Bayshort Road is to be widened in the very near future;

Also, in the very near future, every resident will be assessed for a County wide sewage proposal (at a possible rate of \$2000.00 a piece);

Five years ago, there was only one person under 18 residing in the park, now there are at least three. Mind you, there will soon be more;

As of January 1, 1992, rubbish removal rules and rates are to be changed; and possible dredging of Indian Creek will be a forced undertaking.

This is not intended to be a doomsday message. Simple common sense will show, all of the above will not be handled to advantage of every individual without the availability of one voice, one vote.

Many of the things asked for in the past were simply discounted by the "Powers that Be" by. "Well, you are not a park, you are a Subdivision, therefore does not apply to you."

How true, there is Mobile Manor Incorporated, there is Landowner's Association, and there are residents who belong to neither.

The reasons for this separation no longer exist: To belong to Mobile Manor Incorporated, it is no longer necessary to pay a \$500.00 fee. There is not now, and never has been, a lien placed against your property when you become a member.

It is, however, necessary to pay \$126.00 a year maintenance fee, which in summary, pays for the upkeep of the office building and grounds, the clubhouse and grounds, the triangle lakeparks, the highway rightaway, the cul de sacs, signs at front entrances, stop signs, speed signs, street signs, taxes, and insurance.

Just suppose, all Mobile Manor Incorporated Members stop paying maintenance fees. Who among us, who call this park home, either for the full year or just part of a year, would be willing to bring their relatives, friends, prospective real estate buyers into the park by an overgrown entrance, by an unpainted sign, along side and front of an overgrown, unpainted, boarded up Office and clubhouse, as it once was.

If there is something in this letter that you do not understand, or that you would like further explained, or you wish to join us as a Mobile Manor Member, please do not hesitate to contact any officer, or any member of the board.

Whether or not, to become a member of Mobile Manor is a decision which must be made soon. To become a member carries unlimited possibilities for example; a possible reduction in waste removal rates or water rates, and hopefully, sewage rates. And how about that bicycle path to the grocery stores on Bayshore Road or to our future post office at the Winn Dixie Mall?

While not to become a member may save you a \$126.00 a year fee now, but in the long run cost how much more?

Henry Ness
Superintendent: Henry Ness

Kent Lattimer
President: Kent Lattimer

Stan Foutch
Vice President: Stan Foutch

Hilja Harris
Treasurer: Hilja Harris

Delores M. Gentry
Secretary: Delores Gentry

Board Of Directors:

Ed Ludwig
Ed Ludwig

Roy Shock
Roy Shock

Irene Tinnin
Irene Tinnin

Lorraine Schauer
Lorraine Schauer

Sam Turner
Sam Turner

MOBILE MANOR, INC.
CORPORATION MEETING

MARCH 5, 1998
THURS. 2:30 P.M.

THE PRESIDENT, CHARLES FERGUSON CALLED THE MEETING TO ORDER WITH PRAYER AND PLEDGE TO THE FLAG.

THE SECRETARY READ THE MINUTES OF THE PREVIOUS MEETING.

DONNA JEPSEN ASKED THAT WE MAKE AN ADDITION TO THE MINUTES. MARLIN JEPSEN SUGGESTED THAT THE MEMBER WITH THE MOST VOTES BE APPOINTED AS DIRECTOR. THE PRESIDENT RESPONDED THAT WE WOULD HAVE TO FOLLOW THE BY-LAWS. PAUL GENTRY MADE A MOTION TO ACCEPT THE MINUTES WITH THIS ADDITION. LORRAINE SCHAUER SECONDED THE MOTION. MOTION CARRIED.

BILL WOTHERSPOON BROUGHT BEFORE THE MEMBERSHIP THAT SEVERAL MEMBERS ARE DELIQUENT ON MAINTENANCE FEES.

CAROL INFORMED US THAT THIS IS MOSTLY PEOPLE THAT DON'T LIVE HERE BUT RENT THEIR PROPERTY.

JOE TOTH MADE A MOTION TO PRINT THEIR NAMES AND THE AMOUNT THEY OWE AND POST IT ON THE BULLETIN BOARD.

A DISCUSSION ABOUT THIS FOLLOWED.

MARLIN JEPSEN MADE A MOTION TO APPOINT A COMMITTEE OF THREE (3) AND LET THEM LOOK INTO THIS AND REPORT BACK TO THE MEMBERSHIP IN APRIL.

JOE TOTH RESCINDED HIS MOTION.

EDNA DEANE SECONDED THE MOTION. THIS MOTION CARRIED.

COMMITTEE'S OF 3 PEOPLE, ONE BEING FROM THE BOARD, WILL BE SET UP FOR UP-DATING OUR BY-LAWS, RULES AND REGULATIONS, AND DEED OF RESTRICTIONS

DUE TO HILJA HARRIS' ABSENCE, THE SECRETARY READ THE TREASURER'S REPORT PREPARED BY CAROL JULIUS AND APPROVED BY HILJA HARRIS. THE BANK BALANCE, WITHOUT THE BANK STATEMENT IS \$12,716.69.

LORRAINE SCHAUER MADE A MOTION TO ACCEPT THIS REPORT AS READ.

SECONDED BY COOKIE GRANT. MOTION CARRIED.

MARLIN JEPSEN MADE A MOTION THAT COPIES OF THE TREASURER'S REPORT BE MADE FOR EVERYONE TO BETTER UNDERSTAND IT.

SECONDED BY JOE TOTH. MOTION CARRIED.

WOMEN'S SOCIAL CLUB REPORTED BY GWEN SIEVERT, PRESIDENT;

THE GOLDEN WEDDING ANNIVERSARY PARTY WILL BE SATURDAY MARCH 7TH AT 7:30 P.M.

MR & MRS DONALD DARROW, MR & MRS WILLIAM WOTHERSPOON WILL BE CELEBRATING 50 YEARS OF MARRIAGE AND REV AND MRS PAUL GENTRY SIXTY (60) YEARS. SPRING LUNCHEON WILL BE AT SABALS SEA GRILL, MARCH 11TH AT NOON. THE SECOND ANNUAL "GET TO KNOW YOUR NEIGHBOR DAY" WILL BE HELD MARCH 14TH AT TRIANGLE PARK. ALL MOBILE MANOR RESIDENTS ARE INVITED. CAROL WILL SPONSOR A COOK-OUT. BRING A COVERED DISH AND TABLE SERVICE. THE ST PATRICK'S DAY DANCE WILL BE MARCH 17TH AT 7:30 P.M.. MUSIC WILL BE PROVIDED BY "BOB IN CONCERT" MARCH 21ST A STATE DINNER FOR FAMILIES FROM NEW YORK, CANADA, PA., WISC., AND ALL OF THE NEW ENGLAND STATES. THE LAST POT-LUCK OF THE SEASON WILL BE MARCH 29TH AT 5:30 P.M. THE COMMITTEE WILL BE LAST NAMES BEGINNING WITH S THRU Z. EVERYONE IS INVITED.

AL GRESHEL ANNOUNCED A MOVIE TUESDAY AT 7:00 P.M..

BINGO REPORTED 24-25 ATTENDING.

CHARLES FERGUSON REPORTED THE SHUFFLE TEAM WON 7 GAMES. THEY WERE GIVEN A HAND. HE REPORTED THEY HAVE 2 MORE GAMES TO PLAY BEFORE THE TOURNAMENT. HE WAS ALSO HAPPY TO REPORT 16 PLAYERS HAVE SIGNED UP FOR THIS, ALSO THAT HAROLD DOOLIN WILL BE CAPTAIN FOR THE NEXT SEASON.

BILLIE DOOLIN WAS GIVEN A HAND FOR ACCEPTING PRESIDENT OF THE WSC.

OLD BUSINESS:

HAZEL PIERCE TALKED ABOUT THE YEAR END STATEMENT, WHICH SHOWS WE

MOBILE MANOR, INC.
BOARD OF DIRECTORS MEETING

FEB. 23, 1999
7:00 P.M.

THE NEW PRESIDENT, HARVEY MCCLURE OPENED THE MEETING WITH THE FOLLOWING BOARD MEMBERS PRESENT. HARVEY, CHARLES FERGUSON, RICHARD THURMAN, ORIN QUEEN, RUSSELL SUNSTROM, DONNA JOHNSTON, DELORES GENTRY, AND CAROL JULIUS, MGR. HARVEY OPENED THE MEETING AT 7:00 P.M. FIRST ON THE AGENDA WAS THE READING OF THE MINUTES. THIS REPORT WAS ACCEPTED WITH NO ADDITIONS OR CORRECTIONS.

IN THE ABSENCE OF THE NEWLY ELECTED TREASURER, CHUCK GILLESPIE, CAROL JULIUS PRESENTED THE BANK BALANCE AS OF TODAY, \$22,300.19. NO ACTION WAS TAKEN ON THIS REPORT.

EACH BOARD MEMBER RECEIVED AN AGENDA OF THE MEETING WHICH WAS POSTED ON THE BULLETIN BOARDS TOO.

MANAGER'S REPORT: CAROL REPORTED TO THE BOARD THAT THE FIRST ASSESSMENT OF OUR STREET REPAIRS HAS BEEN PAID WHICH IS \$10,800. CAROL TALKED TO OUR ATTORNEY ABOUT THE CASE WE HAVE PENDING, ALEX PARENT WHO HAS BEEN IN CONTACT WITH WADE AND VERBALLY AGREED TO GET INTO COMPLIANCE WITH OUR RULES AND REGULATIONS WITHOUT GOING TO COURT. SHE REPORTED HE HAS MADE SOME PROGRESS, HOWEVER HE STILL HAS A CAR PARKED ON HIS YARD.

THE ISSUE ON TWINBROOK ROAD WAS DISCUSSED ABOUT HAVING THE TRAILER MOVED OFF THE PROPERTY BUT NOBODY HAS BEEN ABLE TO GET IN TOUCH WITH THE MAN THAT LIVES THERE. CAROL WILL SEND A REGISTERED LETTER TO THE OWNER IF NECESSARY.

HARVEY REPORTED HE HAS TALKED TO PAUL AND GRACE BOLLING ABOUT CLEANING UP THEIR CARPORT. SINCE THE TRAILER IS PARKED PARTLY ON THEIR PROPERTY, THEY SAY THEY WON'T CLEAN IT UP UNTIL THE TRAILER IS MOVED.

OLD BUSINESS: HARVEY ASKED IF THE INFORMAL MEETING WITH THE NON-MEMBERS OF OUR PARK HAVE BEEN NOTIFIED. CAROL BELIEVES THIS SHOULD COME FROM THE BOARD OF DIRECTORS. HARVEY APPOINTED CHARLES FERGUSON, DELORES GENTRY AND CAROL TO WORK ON THIS. IT WAS DECIDED THAT WE WOULD MEET WITH THEM WEDNESDAY, MARCH 10TH AT 7:00 P.M. COOKIES AND COFFEE WILL BE FURNISHED. THE COMMITTEE WILL MEET SUNDAY AFTERNOON, FEB. 28TH TO WRITE THE INVITATION.

HARVEY ASKED CHARLES TO GET A PETITION WROTE UP TO TAKE TO THE WASTE MANAGERMENTS OFFICE, ALSO ABOUT THEM SPEEDING IN THE PARK. ROAD SITUATION: THEY HAVE STARTED ROAD EDGING ALONG THE STREETS, WHICH MEANS THEY PLAN TO FINISH THEIR JOB. AFTER SOME DISCUSSION A MOTION WAS MADE BY RICHARD THURMAN THAT WE RESTRICT THE CONTRACTOR FROM DOING THIS UNTIL THE SNOWBIRDS ARE GONE. HE SUGGESTED MAY THE FIRST.

CHARLES FERGUSON SECONDED THIS MOTION. MOTION CARRIED.

HARVEY EXPLAINED TO US ABOUT A PROBLEM WITH A SECTION OF OUR PROPERTY THAT COULD BE UNDER THE STREET REPAIRS BUT TWO OWNERS INVOLVED REFUSED TO PAY THEIR SHARE FOR THIS. AFTER DISCUSSING THIS FUTHER, RUSSELL SUNSTROM MADE A MOTION TO LEAVE IT LIKE IT IS BECAUSE OF THEIR NOT WANTING TO PAY THEIR SHARE. SECONDED BY RICHARD THURMAN. THIS MOTION CARRIED.

1st Street
assessment
paid \$10,800

Twin Brook
Hill 10m

informal
meeting
with non-
members

petition to
waste manager-
ment

MOBILE MANOR NEWS

This is the final month of activities for this season. So plan to attend and take part in the season's final fling.

On Saturday, March 6th, help celebrate the milestone of 50 years of marriage with Bill and Edie Long, Rev. Richard and Lois Gainer and Howard and Leatha Young. Margaret Morrison has been working very hard to put together an enjoyable evening to help with the celebrations. 7:00 p.m. in the clubhouse.

Wednesday, March 10th, is the WSC Spring Luncheon. Sandy Hook is the location selected. Reservations can be made by calling Donna Jepsen at 543-4107. She will give you cost and time. All ladies who reside in Mobile Manor are invited to attend.

St. Patrick's Day will be celebrated with a dance in the clubhouse. Royal Gus will provide music. Cost is \$5.00 per person. Time is 7:30 p.m. Sign up sheet is in the clubhouse.

In spite of the calendar, Saturday, March 20th will be Wayne Lembke's annual sauerkraut and pork dinner. Cost is \$1.50 per person. Time is 5:30 p.m. Sign up at clubhouse.

Final Potluck of the season will be held on Sunday, March 28th. Last names beginning with S through Z will be host/hostesses. Bring a covered dish, your table service and enjoy the good food prepared by the Mobile Manor cooks. 5:30 p.m.

March 13th will be the Third Annual "Get To Know Your Neighbor Day" held at Triangle Park. Games and fun begins at 3:30 p.m. We'll eat at 5:30 p.m. Bring your lawn chairs, table service, covered dish and \$1.25 for your burger or hot dog. Please sign up at the clubhouse or call Carol at 543-1989. REMEMBER: ALL MOBILE MANOR RESIDENTS ARE INVITED.

Our thoughts and prayers go out to the family of Mr. Ernest Petty, longtime resident and former maintenance man of Mobile Manor.

WEDNESDAY, MARCH 24TH, WILL BE ANOTHER MONTE CARLO NIGHT. SANDWICHES AND DESSERT WILL BE SERVED BEGINNING AT 6:00 P.M. THEN AT 7:00 P.M. YOU CAN BUY YOUR FUNNY MONEY AND GAMBLE THE NIGHT AWAY. THIS WILL ALSO BE THE DATE THE RAFFLE WINNER OF THE QUILT WILL BE AWARDED. SO IF YOU HAVEN'T GOTTEN YOUR RAFFLE TICKETS, SEE BILLIE DOOLIN AND GET THEM PURCHASED.

Anyone interested in learning to shuffle or becoming a member of the Mobile Manor Shuffle team should come to the shuffle courts during a practice time. 12:30 each week day, or 1:00 on Saturdays.

This will be the final newsletter for this season, so all of you have a safe trip home, a wonderful summer and come back healthy in the fall.

MOBILE MANOR NEWS

From the President-WSC:

A special THANK YOU to the ladies for the wonderful potluck dinner and the spaghetti dinner last month. Your work does not go unnoticed.

The WSC meets each Tuesday morning at 10:00a.m. All are welcome.

February 7th is Wayne Lembke's Sauerkraut Dinner. You all know how good that is and you won't want to miss it. 5:30p.m. Bring a covered dish and table service.

February 13th we will have a guest speaker after our regular meeting.

February 14th is the Valentine Dance. It is BYOB and there is "NO CHARGE". 8:00 P.M.

Wednesday February 21st Donna Jepsen has a field trip scheduled to Sanibel Pioneer Village. Contact Donna at 543-9833 for details.

February 25th is the regular monthly Potluck Dinner. Everyone knows about Mobile Manor's good cooks. Bring a covered dish, your table service and join your neighbors for a delicious meal.



ARE YOU GETTING A FREE RIDE?

We have heard comments about what the maintenance fees are used for, and have gone back and tried to find some of the expenses that have occurred (over and above the daily expenses).

Most of you do not realize that we buy water from Lee County Utilities. The State of Florida tells us that we can not charge you more than we are paying for this water. We pay \$5.19 per one thousand gallons, you pay \$5.19 per one thousand gallons. We are permitted to charge you \$5.77 per month for your meter; but did you know that Lee County Utilities charges us \$3.18 each month for that meter, leaving us \$2.59 to maintain the water system in our subdivision? That leaves Mobile Manor, Inc. approximately \$800 per month (\$9,600 per year) to keep water in your home. If we have a line break, who pays for the lost water? Mobile Manor, Inc. does!

1995 is a good example. A line broke on Flame Lane that did not come to the surface and almost one million gallons of water was lost. Mobile Manor, Inc. had to pay almost \$5,000 for that lost water, in addition to the charge paid for an independent company to find the leak and the cost of making the repair.

About three years ago new signs were installed at our entrances. Donations were collected in an effort to raise the necessary money to pay for them. Those of you who donated helped us raise about 1/2 of the necessary funds. Who paid the rest? Mobile Manor, Inc. did!

We now have street lights. We recycle aluminum cans and newspapers to help with this expense and many of you pay an annual fee toward these lights; but who pays the amount that isn't collected from our volunteers? Mobile Manor, Inc. does.

Some of you refused to pay your share of the coating of our streets. Who paid that balance? If I were you and I had refused to pay, I would be embarrassed to drive my car, ride my bike, or walk on these streets.

A lot of the maintenance fee does go to maintain the clubhouse and common grounds in Mobile Manor. It pays for insurance (almost \$3,000 a year), real estate taxes (another \$3,000), cutting grass (\$2500), licensing fees to the State for our water system (approximately \$1500 a year), roof overs (\$7200 on clubhouse and \$3200 on office), termite treatment of office and clubhouse (about \$3,500) and many other expenses that we have not listed,

Granted! A lot of you do not use the clubhouse! We know that; but do you realize that most of the prospective new owners ask first about the clubhouse and the activities that take place there. What would your property be worth if there was no clubhouse? Not much! Snowbirds want activities, but they don't want to drive all over town to find them. Just check with the local realtors and ask them what the clubhouse and amenities within Mobile Manor Subdivision are worth to your home's value.

The new millenium began this year. So why don't you give serious thought to carrying your share of the load? Maintenance fees for 2001 are \$156.00. That's \$13.00 a month and I defy you to find any other mobile home

park or subdivision where you could live for that small amount of money.

Mobile Manor is a well maintained older subdivision and it could be made better if 82 of you would wake up and accept the responsibility of helping. If you don't, you may wake up some morning and find that you can not get a drink of water, make coffee, take a shower or flush your toilet. You may not have a saleable home; and whether you like it or not, someday you or your heirs are going to have to sell your home.

There are 230 resident/owners who have accepted the responsibility of maintaining our community. To you, THANK YOU! There are 82 of you, and you know who you are, who are not carrying your share of the load. The 230 are getting tired of your weight on their backs and would like for you to wake up and share this responsibility. If you are one of the 230, why don't you ask your neighbor if he is helping carry the load, or if he is part of the load!!



WORKING
TOGETHER
WE
CAN KEEP
OUR
SUBDIVISION
IMPROVING