

ORIGINAL

June 21, 2003

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Dir., Div./Comm. Clerk & Admin. Svces.
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fl 32399-0850

030471-WS

COMMISSION
CLERK

Re: Application for transfer of Water Certificate No. 598-W & Wastewater Certificate No. 513-S held by Breeze Hill Utilities from Bieber Enterprises, Inc., to Cal Clair, Inc., dba Breeze Hill Utility.

As a property owner in the Breeze Hill subdivision and a customer of Bieber Enterprises, Inc. dba Breeze Hill Utilities, I **OBJECT** to the approval of this application. My objection concerns the lack of oversight by the PSC since Order No. PSC-02-1114-PAA-WS was issued on August 14, 2002 and possible fraud. At the July 23, 2002 Agenda (Docket No. 011481-WS), Commissioners Palecki, Baez, and Bradley, and the PSC staff in attendance, were advised that Mr. Donald McNabb, listed as the resident maintenance person and general manager of the utility, had been fired in June of 2002. One only has to review the audio/visual tape of this meeting and/or the printed copy of the remarks Mr. Sheppard and I made at the hearing to determine the failure of the PSC to provide the investigation requested.

Without the review we had asked for, the pinheaded commissioners rubber-stamped the PSC staff proposal that became Order No. PSC-02-1114-PAA-WS. This included payment for 10 hours per week at a rate of \$10.50 per hour or \$5,460.00 annually for Salaries and Wages-Employees Expense (Par. 2, Page 14). It is my contention that Mr. McNabb was **NOT** an employ since August 14, 2002, the effective date of the order nor has there been any other individual assigned to carry out the duties of this position.

Therefore, prior to taking any action on this application I request that Bieber Enterprises, Inc., be required to document the payment of these "wages" using payroll and tax withholding statements and if the payment cannot be verified:

- a) sanctions should be brought against Mr. Terry Hartigh and the PSC staff who were complicit in this activity, for the fraud that was perpetrated;
- b) a rebate to the customers of record of Breeze Hill Utilities in the amount of the over-payment should be ordered;
- c) and the rates adjusted accordingly prior to any consideration of approving the application for transfer to Cal Clair, Inc.,

Also, the customers of Breeze Hill have been advised, in writing, that the transfer of ownership of the **mobile home park** from Bieber Enterprises, Inc., Terrance Hartigh, president, to Cal Clair, Inc. dba Breeze Hill Mobile Home Park, Calvin C. Blake, president, is subject to approval by the Florida Public Service Commission. Can the PSC legal personnel explain "why" the PSC is involved in this matter?

And, finally, please furnish me copies of all documentation Cal Clair, Inc. has submitted to the PSC to support the contention that it has the resources to continue to operate the system and the technical ability to continue to provide all required services.

Sincerely,

Kenneth J. Wankowski
Kenneth J. Wankowski
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cc's: Baxter Troutman, Rep., Dist. 66
Jack Shreve, OPC, 32399-1400
Breeze Hill Utility
Charles Sheppard
File

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