

ORIGINAL  
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# Public Service Commission

COMMISSION  
CLERK

February 16, 2005

CERTIFIED MAIL

Millie and Forrest Thomas  
35015 Silver Oak Drive  
Leesburg, FL 34788-3151

Re: Docket No. 050028-WU - Application for authority to transfer a non-regulated water system, for a limited proceeding to implement rates and charges, and for amendment to extend territory of Certificate No. 539-W in Lake County by Raintree Utilities, Inc.

Dear Mr. and Mrs. Thomas:

Thank you for your letter filed with this Commission on February 11, 2005, regarding your opposition to the application filed in the above-referenced docket. In your letter, you indicated that you thought it was improper for your community well to be sold. You also state that you had been told by letter dated February 26, 1988, that there would be no water fee for this lot, and that you would only have to pay a lump sum for maintenance of the well. Unfortunately, the Commission does not have the jurisdiction to consider this type of dispute involving and apparent breach of contract.

The Commission's Division of Regulatory Compliance and Consumer Assistance advises that they have never received a single complaint from a customer of Raintree Utilities. Also, in any amendment or transfer application the Commission always investigates and insures that the utility has the financial and technical ability to provide service, and that it owns the land or has continued long-term use of the land on which the utility facilities are located. In addition to the notice you received, a notice is provided to the municipal and county governing bodies, plus any privately owned utilities in the area. Finally, most residential customers normally have 5/8" x 3/4" meters, and would be billed a base charge of \$39 quarterly (\$13 monthly base charge plus \$1.40 per 1,000 gallons used). Of course, if you have a larger meter, you would be billed the appropriate higher base charge.

Please advise this Commission by March 16, 2005, if you intend to pursue your objection and wish to request a formal hearing. Your request should be made in writing and should be addressed to Blanca Bayó, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and reference Docket No. 050028-WU. If we do not hear from you by March 16, 2005, we will assume that you do not wish to pursue a formal hearing and your letter will be placed in the correspondence side of the docket file in this case for informational purposes.

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The opinions stated in this letter are my own personal opinions and in no way bind the Commission in any future proceeding. If you have any questions, you may contact me at (850) 413-6234.

Sincerely,



Ralph R. Jaeger  
Senior Attorney

RRJ:jb

cc: Division of the Commission Clerk and Administrative Services  
Martin S. Friedman and Valerie L. Lord, Esquires  
Division of Economic Regulation (Clapp, Redemann)

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