

February 14, 2005

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

COMMISSION
CLERK

Re: Docket #050028-WU
Raintree Utilities, Inc.
Application for Transfer of Silver Oak System and amendment of certificate #106-W
Silver Oaks

Dear Sirs,

As owners of Lot 11 in Block B of the Silver Oak Subdivision in Lake County, also known as 35104 Silver Oak Drive, Leesburg, Fl 34788, we OBJECT to the transfer of our water system to Raintree utilities, Inc. for several reasons.

First of all, the current owner of the water system, Rodney Griffin (the original developer of Silver Oaks subdivision), is reneging on an agreement he had with the original homeowners to provide water at no charge. This agreement has been in place for approximately 18 years. At this time, there are still at least 6 original homeowners, therefore, the original agreement should still be honored.

Second of all, the 1987 sales brochure stated that there was a "community well" for water and that this would eventually be turned over to the homeowners. Selling this to Raintree Utilities, Inc. in no way constitutes turning the well over to the homeowners.

Thirdly, it has come to our attention the Mr. Griffin is somehow involved with Shamrock Homes (owners of Raintree Utilities, Inc.). This is clearly a conflict of interest and an obvious and deliberate attempt to escape his obligations to the original homeowners.

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When we purchases out home in January 1994, one of the deciding factors was the water system in place at the time. The previous owners, as well as neighbors we spoke to prior to making our decision, indicated that there would be no charge for water so long as there was at least one original homeowner remaining, At that time, there were at least 10 original homeowners.

It is our contention the real reason for the application at this time is to circumvent environmental regulations and avoid the costs of drilling a new well. Shamrock Homes (owners of Raintree Utilities, Inc.) is planning to add approximately 100 homes in an adjoining community and wants to acquire our water system in order to expedite the supply of water service to this new development – at our expense!!

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We have researched the rates for other communities in the area and have determined that the proposed rates by Raintree Utilities, Inc. are higher than those of other utility companies serving the area. According to our research, the average person uses approximately 175 gallons of water per day – in a two-person household, that's equivalent to 350 gallons per day or 10,646 gallons per month. Based on this usage, Raintree Utilities, Inc. would charge \$34.40 per month as compared to \$22.10 per month by the City of Leesburg. With this application, we have been denied the opportunity to obtain competitive quotes for operation of our water system.

On February 4th, Shamrock Homes sent a letter to the Silver Oaks homeowners inviting us to meet with them on February 17th to allow them to explain their plans for our water system and how it will benefit us. First of all, this invitation was clearly an afterthought. The first and only notification we received was on January 24th (11 days prior to the receipt of the "invitation letter) AND it came from "Rose, Sundstrom & Bentley, LLP". It seems to me that if they had our best interest in mind, the first notification would have come from Shamrock Homes and/or Raintree Utilities, Inc. instead of their attorneys. We believe that the only reason they offered to meet with us was in response to a letter of opposition sent on January 29th by one of the homeowners.

As for how any of this can benefit us, we're at a loss. Our water meets all federal and state requirements AND there is no charge. Aside from making the lot that the well sits on more aesthetic, there's really nothing they can provide that is worth the rates they are proposing.

In closing, I would urge the Commission to see through Mr. Griffin's ploy to get out of his agreement to the original homeowners of Silver Oaks subdivision and deny Raintree Utilities' application for the transfer of our water system and the resulting charges for water.

Sincerely,

Robert E. Harvey, Homeowner
35104 Silver Oak Drive
Leesburg, Fl 34788

Patricia A Harvey, Homeowner
~~35004~~ 35104 Silver Oak Drive
Leesburg, Fl 34788

cc: Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
600 S. North Lake Boulevard, Suite 160
Altamonte Springs, Fl 32701