

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date:	1/23/2006	Docket No.:	060057-WS
1. Division Name/Staff Name:	GCL/Jaeger <i>[Signature]</i>		
2. OPR:	GCL (Jaeger) <i>[Signature]</i>		
3. OCR:	ECR (Rendell) <i>[Signature]</i>		
4. Suggested Docket Title:	Investigation into whether Lindrick Service Corporation should be ordered to show cause as to why it should not be fined for its apparent violations of Rules 25-30.250, 25-30.251, 25-30.130, 25-22.032, Florida Administrative Code, and the requirements of Order No PSC-99-1883-PAA-SU, issued September 21, 1999, in Docket No. 980242-SU .		
5. Suggested Docket Mailing List (attach separate sheet if necessary)			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
	Lindrick Service Corporation		
2. Interested persons and their representatives (if any):			
Senator Mike Fasano, District 11	Representative John Legg, District 46		
8217 Massachusetts Ave., New Port Richey, Fl 34653	10014 Grove Drive, Suite B, Port Richey, Fl. 34668		
Telephone No. 727848-5885	Telephone No. 727-869-8600		
Fax No. 727-841-4453	Fax No. 727-861-5229		
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			

DOCUMENT NUMBER - DATE

00647 JAN 23 06

Document2

FPSC-COMMISSION CLERK

FACSIMILE COVER PAGE

Date: 07/11/05
Time: 14:08:58
Pages: 5

To: Tom Walden
Company: FL Public Service Commission
Fax #: 1 850 413 6951

From: Sherri Hubach
Address: 4619 Floramar Terrace
New Port Richey, FL
USA

Fax #: 727-848-6297
Voice #: 727-846-7158

Message:

Tom, FYI attached are my letter to PSC, LSC letter to me (re water service interruption) and my memo to FDEP re sewer lift station problems

July 11, 2005

Public Service Commission
540 Shumard Blvd.
Tallahassee FL 32399
Attn: Ruth McHargue

REF: Lindrick Service Corporation

Dear Ms. McHargue,

I am responding as follows to the PSC's July 6, 2005 letter following my complaint about the lack of advance-noticing of interruption of water service for nine hours on June 29 and a subsequent interruption for an hour and a half the following day, and Lindrick Service Corporation's subsequent inaction.

I have received a form letter from LSC (copy attached) dated July 7, 2005. I reiterate, that LSC offered **no resolution nor plan of action**, only excuses and half-truths regarding the incident. The closest LSC came to a plan of action was to ask customers to request FDEP to make LSC an exception to the rule and allow it to hook up wells that do not meet set-back requirements from septic systems. This is ludicrous. The particular septic systems in question are thirty to forty years old and subject to failure, especially during heavy rain events. Therefore, I cannot be in agreement with resolutions or plans of action that **do not** exist.

LSC did not issue a boil water alert in a timely manner to everyone claimed to be notified. Identifying the exact nature of the planned work that caused the problem depends upon which day one speaks with LSC personnel. The Escambia County OEM and county fire officials were notified because my husband and I made calls to the county commissioners, not because LSC reported any problem. I also notified FDEP and PSC (Tom Walden) via fax (copy attached), well before any report came in from LSC, if any such report actually was made. You are of course aware that representative John Legg is looking into the matter and that FDEP is investigating.

Unfortunately, this is only another example in a history of problems with LSC. And, water service is not the only problem. Three times since June 21, 2005, the "master" lift station in Gulf Harbors has malfunctioned, the latest incident being July 10, 2005, which resulted in raw wastewater bubbling up through the sewer manhole cover and running down the street into a storm drain which ultimately connects to the Gulf of Mexico.

Enough is enough. LSC refuses to remedy the problems of an old system with anything other than a "bandaid" approach. The time has passed for yet more meetings, threats and minimal fines. It is time for the Public Service Commission to consider a deletion of Lindrick Service Corporation's franchise area. The infrastructure is in place for Escambia County to provide water and sewer service.

I remain,



Sherri Hubach
519 Floramar Terrace
New Port Richey, FL. 34652
(813) 846-7158

cc: Rep. John Legg
Tom Walden (PSC)
Ed Watson (FDEP)

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 7, 2005

Ms. Sherri Hubach
4619 Floramar Terrace
New Port Richey, FL 34652

RE: PSC request #657834W

Dear Ms. Hubach,

We have reviewed your complaint which was filed with the Florida Public Service Commission on July 5, 2005.

Lindrick did not notify customers prior to resulting water pressure loss since Lindrick planned to keep two wells in operation and did not anticipate that the main interconnect would not function. Lindrick also tested the system pressure (after turning valve), prior to cutting pipe as a precaution. All systems were then on go and Lindrick commenced the work only to find that plans were spoiled as system pressure evaporated. Unfortunately it was then too late. This mix-up caused the mixed signals as given to customers (ie: two of Lindrick's wells were in operation per field, so office originally thought incorrectly that the system had pressure).

On June 29, 2005, Lindrick's personnel worked endlessly till dark, as storms inundated them, to complete re-piping so that water pressure would be restored that evening. This re-piping work was necessary so that all well water was properly chlorinated per current FDEP Permit.

Water was turned off for a couple hours after lunch the next day to install an additional valve to help protect against the above scenario from occurring in the future.

On June 29, 2005, boil water notices were sent out early to all ^{*}associations, Bay News 9, St. Pete Times, County Health Dept. and FDEP. Also, Pasco County Fire Dept. was notified.

Within minutes of receiving the 2nd negative bacteria test results, the boil water notice was rescinded prior to dinner time on July 6th. Both test results were sent to FDEP.

*Called Since Emergency

Lindrick Service Corporation apologizes for any inconveniences this unfortunate event has caused our customers, including busy phone lines. Lindrick asks that each customer contact FDEP and requests that FDEP approve the use of Lindrick's standby wells so system water pressure is not jeopardized in the future providing backup supply, inherently protecting customer health and safety.

Very Truly Yours,



Joseph Borda
For Lindrick Service Corp.

Cc: Helen McNeil, LSC
Joy Anderson, PSC

Note: Most customers are within walking distance of office.

Marshall Willis

From: Shofner, Gwen [Gwen.Shofner@dep.state.fl.us]
Sent: Tuesday, July 12, 2005 3:57 PM
To: Mahnaz Massoudi
Cc: Troy Rendell; Marshall Willis; Greenwell, Jeff
Subject: RE: Water outage at Gulf Harbors
Importance: High

Hello Mahnaz,

The answers to your questions are given below.

1- What was the cause of this outage? The utility commenced some pipeline construction and found that they needed to shut off their entire system (i.e., four wells) in order to complete the work. The utility claims that the construction was authorized under an existing construction permit. The Department does not concur with this claim.

2- Was the outage or any repair in the water service area planned or it happened as an emergency? The construction work was planned. The utility says they did not realize, at the outset, that they would have to shut their entire well system down to complete the work.

3- Did the Utility notify the outage to the customers? The utility provided no advance notice of the planned construction to customers.

4- Did the Utility furnish its incident report to the DEP? DEP first became aware of the situation around 10 am on the morning of June 29th, not due to notification from the utility, but rather because a number of irate customers called us advising there was no water pressure in the Gulf Harbors system. DEP followed up by calling owner Joe Borda and by dispatching Drinking Water staff to the site to investigate matters on June 29th and June 30th. DEP took these actions in order to develop our own "incident report."

5- Did the Utility notify the Fire Department or other City official of its water interruption? The Department has been advised that they did not. However, you should contact the Fire Department and City officials to get a definitive answer to the question.

6- Did the Utility send water boil advisory out? The Utility alerted cable television station Bay News 9 to the need to boil water. The Utility had also advised the Department that they would make additional notifications to customers by telephoning civic associations, condo associations, etc. Subsequently, however, the Department received many complaints from customers who had received no notice whatsoever.

In the meantime, the Department continues to investigate this matter to determine if violations of DEP regulations occurred. If so, the Department will initiate enforcement proceedings against the utility.

If you have additional questions, please contact me by phone at 813-744-6100, ext. 306, or by return email.

7/14/2005

Gwen Shofner

-----Original Message-----

From: Mahnaz Massoudi [mailto:MMassoud@PSC.STATE.FL.US]
Sent: Thursday, July 07, 2005 9:46 AM
To: Shofner, Gwen
Cc: Troy Rendell; Marshall Willis
Subject: RE: Water outage at Gulf Harbors

Hi Gwen,

Thanks for your response. I talked to Pete Burghardt on Tuesday regarding the Lindrick water service outage on June 29, 05. We've received a large number of complaints about this major outage. Even, we've received a complaint letter from State Representative, District 46 regarding this issue. In order to investigate these complaints, we would like to know if you have any information regarding this issue such as:

- 1- What was the cause of this outage?
- 2- Was the outage or any repair in the water service area planned or it happened as an emergency?
- 3- Did the Utility notify the outage to the customers?
- 4- Did the Utility furnish its incident report to the DEP?
- 5- Did the Utility notify the Fire Department or other City official of its water interruption?
- 6- Did the Utility send water boil advisory out?

I would appreciate it if you would provide me any information regarding this matter.
Thanks again,

Mahnaz Massoudi
Engineer IV
Public Service Commission
Tel: 850-413-6946
Fax:850-413-6947
MMASSOUD@PSC.STATE.FL.US

From: Shofner, Gwen [mailto:Gwen.Shofner@dep.state.fl.us]
Sent: Wednesday, July 06, 2005 10:53 AM
To: Mahnaz Massoudi
Subject: Water outage at Gulf Harbors

Dear Ms. Massoudi,

If you provide your phone number, I can call you and explain the recent events at Lindrick's Gulf Harbors public water system. Alternatively you can call me at 813-744-6100, ext. 306. Otherwise please advise by return email what information you need and I'll respond. Thanks.

Gwen Shofner

7/14/2005

Program Manager, Drinking Water
Florida Department of Environmental Protection.

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

July 8, 2005

Joseph Borda
Lindrick Service Corporation
5245 U.S. Highway 19
New Port Richey, Florida 34652

Re: Complaint Regarding Eight Hours Water Service Outage in the Lindrick Service Area

Dear Mr. Borda:

The Public Service Commission (PSC) received many complaints against Lindrick Service Corporation (Utility) regarding the eight hours water service outage in the service area on June 29, 2005. Also, we received a complaint letter from Mr. John Legg, the State Representative, District 46 regarding this issue. In order to investigate these complaints, staff requests that you provide responses to the following questions:

1. Provide a detailed explanation of the June 29, 2005 water service outage including the cause and the reason it took eight hours to fix the problem.
2. Did the Utility keep a record of its June 29, 2005 incident, pursuant to Rule 25-30.245(1), Florida Administrative Code (F.A.C.)?
3. Did the Utility furnish its incident report to the PSC?
4. If not, provide this incident report to the PSC, pursuant to Rule 25-30.245(2), F.A.C.
5. Did the service interruption affect ten percent (10%) or more of the Utilities customers?
6. If so, did the utility notify the Commission of this interruption, pursuant to Rule 25-30.251(2), F.A.C.?
7. If so, provide the date this notification was made, and the staff member who was contacted.
8. If no notification was made, provide an explanation as to why no such notification was made.
9. Did the Utility notify the Fire Department or other City official of its water interruption, pursuant to Rule 25-30.250(3), F.A.C.?
10. If so, please provide the date of this notification, and the staff member who was contacted.
11. If no notification was made, provide an explanation as to why no such notification was made.
12. Did the Utility send a water boil advisory out?
13. If yes, what time did the Utility send the water boil advisory out?
14. Also, provide a detailed written explanation of the Utility's procedures when a major service interruption is required.

Joseph Borda
Lindrick Service Corporation
July 8, 2005
Page 2

Enclosed, please find a copy of The Florida House of Representatives' letter dated June 30, 2005. Please provide the requested data no later than July 22, 2005 to Mahnaz Massoudi at 2540 Shumard oak Boulevard, Tallahassee, Florida 32399-0850. If you have any further questions, please contact Mahnaz Massoudi at (850) 413-6946 or Troy Rendell at (850) 413-6934.

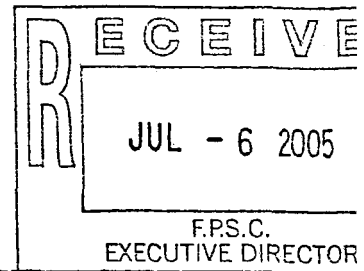
Sincerely,


Mahnaz Massoudi
Engineer IV

Enclosure (1)

cc: Division of Economic Regulation (P. Willis)
Division of Regulatory Compliance and Consumer Assistance (Hicks)
Office of Strategic Analysis and Governmental Affairs (Williams)

John Legg
State Representative, District 46
The Florida House of Representatives
10014 Grove Drive, Suite B
Port Richey, Florida 34668

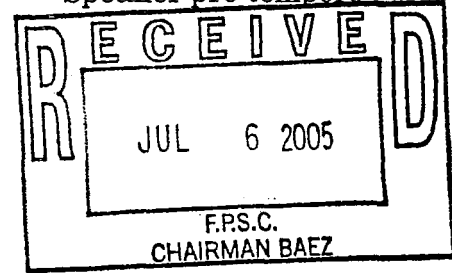


THE FLORIDA HOUSE OF REPRESENTATIVES
STATE REPRESENTATIVE JOHN LEGG
District 46

ALLEN BENSE
Speaker of the House

LESLIE WATERS
Speaker pro tempore

June 30, 2005



Mr. Braulio L. Baez
Chairman
Florida Public Service Council
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Dear Chairman Baez:

I would like to respectfully bring your attention to, and seek assistance on an issue of great importance that is affecting many of my constituents regarding their water service provider, Lindrick Service Corporation. On June 29, 2005 the customers of LSC went without water for approximately 9 hours. On June 30, 2005 water service was again interrupted and is still out as I write to you with my serious concern for my constituents. Residents of Gulf Harbors, Gulf Harbor Woodlands, Gulf Landings and the surrounding areas, including multi-family condominiums and two apartment complexes, are affected by these outages.

This is not only an issue of inconvenience, but a public safety issue. Some of my concerns are:

- Water boil advisory not sent out in a timely manner.
- Residents are without fire service due to the absence of water in fire hydrants.
- Lack of communication. No prior notice of outage or possible outage was given, nor any explanation to inform customers of situation.

According to the LSC field supervisor, the LSC was tying in a new line to bring additional wells on line and mistakenly thought existing wells could provide adequate service during this process. Therefore, LSC did not notify customers of any outage or potential outage. Unfortunately, they were incorrect and interrupted service for many residents.

To conclude, I believe we must investigate Lindrick Service Corporation and look into their history regarding policies, procedures and service quality on behalf of the public health, safety and welfare of thousands of people affected, and seek punitive action if necessary.

Respectfully,

John Legg
State Representative, District 46

CC: Hildebrand
Hubach
FDOH

REPLY TO:

X 10014 Grove Drive, Suite B, Port Richey, Florida 34668 (727) 869-8600, FAX: (727) 861-5229
1401 The Capitol, 402 South Monroe Street, Tallahassee, Florida 32399 (850) 488-5522, FAX: (888) 635-4617

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 12, 2005

Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

ATTN: Mahnaz Masssoudi, Engineer IV

RE: Lindrick 8 hour Water Service Outage Complaint

Dear Mahnaz:

Below please find information relative to your July 7, 2005, inquiry (keyed to your numbers):

1. A detailed explanation of the event is provided in the enclosed report of the incident sent to numerous customers and PSC (Attached per Troy Rendell). Also find a second report on the event illustrating Lindricks effort which required 8 - 9 hours to fix the problem.
2. Yes
3. Yes - See #1 above
4. N/A
5. Yes
6. Yes (within 24 hours Helen McNeil discussed incident with PSC). Incident Report was also sent per # 1 above.
7. June 30 in conversation with Mahnaz (PSC) and Helen (Lindrick)
8. Notification made by way of phone inquiry by PSC - Mr. Borda also spoke to Mahnaz when called.
9. Yes - See second report enclosed

Public Service Commission

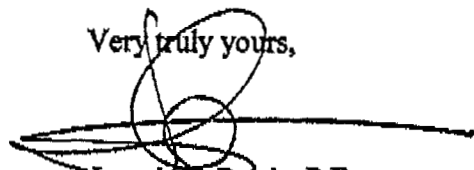
Page 2 of 2

July 12, 2005

10. Brent Hopkins called the Fire Department Lieutenant on duty on June 29th around 11:00 AM (County Fire Station 19).
11. N/A
12. Yes
13. Boil Water Notice was sent (to various entities) on the afternoon of June 29 per July 7 Incident Report.
14. Enclosed please find a copy of Lindrick's procedures when a major service interruption occurs.

Please let me know if you have any questions or need additional information.

Very truly yours,



Joseph R. Borda, P.E.
For Lindrick Service Corp.

JRB/np

Enclosures

cc: Helen McNeil, LSC

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 7, 2005

WATER INCIDENT

David and Marjorie Kapaun
5340 Pilots Place
New Port Richey, FL 34652

REPORT

RE: PSC requests #'s 657532W and 657496W

Dear David and Marjorie Kapaun,

We have reviewed your complaints which were filed with the Florida Public Service Commission on June 30, 2005.

Lindrick did not notify customers prior to resulting water pressure loss since Lindrick planned to keep two wells in operation and did not anticipate that the main interconnect would not function. Lindrick also tested the system pressure (after turning valve), prior to cutting pipe as a precaution. All systems were then on go and Lindrick commenced the work only to find that plans were spoiled as system pressure evaporated. Unfortunately it was then too late. This mix-up caused the mixed signals as given to customers (ie: two of Lindrick's wells were in operation per field, so office originally thought incorrectly that the system had pressure).

On June 29, 2005, Lindrick's personnel worked endlessly till dark, as storms inundated them, to complete re-piping so that water pressure would be restored that evening. This re-piping work was necessary so that all well water was properly chlorinated per current FDEP Permit.

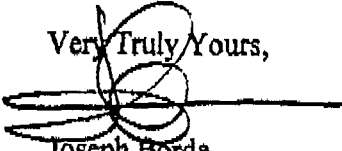
Water was turned off for a couple hours after lunch the next day to install an additional valve to help protect against the above scenario from occurring in the future.

On June 29, 2005, boil water notices were sent out early to all associations, Bay News 9, St. Pete Times, County Health Dept. and FDEP. Also, Pasco County Fire Dept. was notified.

Within minutes of receiving the 2nd negative bacteria test results, the boil water notice was rescinded prior to dinner time on July 6th. Both test results were sent to FDEP.

Lindrick Service Corporation apologizes for any inconveniences this unfortunate event has caused our customers, including busy phone lines. Lindrick asks that each customer contact FDEP and requests that FDEP approve the use of Lindrick's standby wells so system water pressure is not jeopardized in the future providing backup supply, inherently protecting customer health and safety.

Very Truly Yours,



Joseph Borda
For Lindrick Service Corp.

Cc: Helen McNeil, LSC
Joy Anderson, PSC
Kaullis Marshall, PSC

Note: Low water pressure in the a.m. is caused by untimely lawn irrigation. Lindrick requested that the county change irrigation times, so a.m. pressure would be restored and violators could be detected (NO SUCCESS).

SECOND REPORT (Time Sequence for Repair)

- On 6-28-05 - Measured Pipe at Well #1: Ordered material thru Pasco Pipe. Dug pipe measured & gave info to Pasco Pipe who provided 12" pipe
- On 6-29-05 - Started to install new pipe for Well #8 at 10:00 a.m. Shut down valve at Mary Ann Lane and Shamrock Drive keeping wells 4&5 in operation. We opened the hydrant at Floramar west of 19 and checked flow as a precaution. (Flow was good to community) Well #2 and #8 were already shut down. Later we started to cut into pipe and discovered it was very old 14" cast iron. In the meantime calls came into the office and my phone that subdivision had no water. Re-checked closed valve and found it had shut down the whole system. Then, I notified the **County Fire Department, Station 19, Homeowners Associations, and Bay News 9** about what had happened. (Done by 1:00 P.M.)
- Could not turn the water back on because the pipe was cut . Also needed additional parts/material for 14" cast iron pipe. I made a 3 hour trip to Tampa to get parts – arrived back about 3:00 p.m. – in very bad weather. Once back started to install parts, but rain and lightning hindered the process. We put the parts in a fast as weather would allow. Parts kept blowing apart, but Lindrick personnel kept working diligently to get the line back together. At 7:00 p.m. reopened the valve and let water flow back into system.
- On 6-30-05 - Shut down system for 1½ hours (90 minutes, to make a repair on the pipe that came apart from digging and added valve, so Well #2 could be shut down without shutting down entire system. (can isolate wells 4&5 for service)

Report offered by Brent Hopkins, Lindrick Field Superintendent.

LINDRICK SERVICES CORP.**PROTOCOL OF EVENTS ON WATER BREAK
(AND/OR SERVICE INTERRUPTION)**

1. **IDENTIFY PROBLEM** - After notice identify problem and gather equipment and supplies necessary for the repair. Call others if additional help or material is needed.
2. **TURN OFF** - Water to the area affected. – Test to verify other areas are not affected by turn off prior to doing repair. Notify customers at least 24 hours in advance if water turn off is planned.
3. **NOTIFY** – Call DEP at 813-744-6100 Ext. 318 (Pete Screnock, within 24 hours of water break and fax notice. Get all information out. Notify Fire Dept., Pasco Board of Health, Home Owners/Condo Associations, etc. Notify PSC if 10% or more customers are without service and send PSC Incident Report within one week.
4. **REPAIR** – Perform a complete repair in the field.
5. **BOIL WATER NOTICES** – Required when system pressure is zero or when there is cause for concern re: contamination (bacteria). Before water is turned back on (A.S.A.P.)“Boil Water Notices”are faxed to customers via various Homeowner/Condo Associations (i.e.: not more than 24 hours after incident) phoned notices to occur only when time does not permit the above. Copy of Notice is faxed to DEP 813-740-3907 and the Pasco Board of Health 727-841-4111. The media, Bay News 9 and newspaper are given “notice” to advertise in paper.

Type customer letter and make sufficient copies for distribution for customers via Associations.
6. **OPEN HYDRANTS** – After repair is done, the fire hydrants are left open for a short period to clear water lines and to chlorinate the lines before service to customers.

7. TESTING -- Bacts are taken to lab, even after we do a chlorine field test. Two day test are taken, 1st. day test Upstream/Downstream; 2nd day test Upstream/Downstream. Bacts test results are automatically sent to DEP by Gator Water, who also does the sampling.

8. ALL CLEAR -- After lab calls and test (1st & 2nd) are ok, then a Rescind Boil Water Notice is hand carried or faxed to customers via Associations. Notify Bay News 9/Media, etc. that Boil Water Notice is rescinded.

Type letter and make sufficient copies for distribution to customers via Associations

Copy of Rescind Notice is faxed to DEP and Health Department.

Gator Water sends copies of Test Results to FDEP.

9. CLEAN UP -- Area is cleaned up backfilled and sod replaced as soon as possible.

FACSIMILE COVER PAGE

Date: 07/13/05
Time: 13:30:40
Page: 1

To: Tom Walden
Company: FPSC
Fax #: 1 850 413 6951

From: Sherri Hubach
Address: 4619 Floramar Terrace
New Port Richey, FL
USA
Fax #: 727-848-6297
Voice #: 727-846-7158


Message:

FYI, attached is copy of fax sent to FDEP (Jerry Nichols) regarding Lindrick GH master lift station.

7/13/2005

FAX

To: Jerry Nichols - FDEP @ 813 744 8198

From: Sherri Hubach, GH Gulfwatch 

RE: LSC

This message follows up a voice mail message I left with you on July 12, 2005 reporting an incident involving the master lift station in Gulf Harbors (#1?) at Floramar Terrace & Shellstream Blvd. At 3:30 p.m. my husband noticed a LSC truck and a Verizon truck at the lift station. The Verizon tech was installing new phone line from the Verizon pedestal on the SW corner of the lot to the lift station, about 75 feet of line.

He asked the female LSC employee if the autodialer was being hooked up. She replied yes and added that "we've been waiting 2 weeks for the phone company to come."

My question is how long before the two week waiting period had the autodialer not been functioning? My second question would be to determine if you were told by LSC that during the 3 recent malfunctions of this lift station (6/21, 6/30 & 7/10) that the autodialer was working? I know I was, during my conversation with Brent during the last incident on July 10th. When I asked how he had known about the problem, was it autodialer or my call to LSC, he stated that it had been the autodialer, then quickly added that he thought someone had called also.

FYI, I am copying this to the PSC.

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

July 18, 2005

Anthony Lopinto
Director of Emergency Services / Fire Chief
Pasco County Fire Rescue
4111 Land O Lakes Blvd., Suite 208
Land O Lakes, FL 34639

Re: Water Service Interruption by Lindrick Service Corporation

Dear Mr. Lopinto:

The staff of the Florida Public Service Commission is investigating a water service interruption by Lindrick Service Corporation on June 29, 2005. Pursuant to Rule 25-30.250(3), Florida Administrative Code, where public fire protection is provided by the mains affected by an interruption, the utility shall notify the Fire Department or other public official responsible for fire protection, that an interruption has occurred. The utility has indicated that Mr. Brent Hopkins, Lindrick Field Superintendent, contacted the Fire Department Lieutenant on duty on June 29, 2005, around 11:00 a.m., at County Fire Station 19.

Does the Pasco County Fire Rescue retain documentation of these notifications? If so, could you please provide a copy of the June 29, 2005 record of interruption. If no such record is retained by Pasco County, could a written statement be provided by the Fire Department Lieutenant on duty on June 29, 2005, around 11:00 a.m., at County Fire Station 19 as to whether any such notification was made by Lindrick Service Corporation?

Any assistance in this matter would be appreciated. If you have any questions, do not hesitate to contact me at (850) 413-6934 or Suncom 293-6934.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Rendell".

Troy Rendell
Public Utilities Supervisor

cc: Division of Economic Regulation (Willis, Massoudi)
Office of General Counsel (Jaeger)
Office of Strategic Analysis and Governmental Affairs (Williams)

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

July 18, 2005

Joseph Borda
Lindrick Service Corporation
5245 U.S. Highway 19
New Port Richey, FL 34652

Re: Water Service Outage on June 29, 2005

Dear Mr. Borda:

We are in receipt of your response dated July 12, 2005 to staff's previous data request dated July 7, 2005. In order to proceed with staff's investigation of the water service outages on June 29 & 30, 2005, staff is requesting that you provide further response to the following questions:

1. In your response, you indicated that within 24 hours, Ms. Helen McNeil discussed this incident with the PSC. Provide the name of the contact person that Ms. McNeil discussed this incident with.
2. Provide the exact date that Ms. McNeil discussed this incident with the PSC.
3. You further indicated that notification of this incident was during a June 30 conversation with Mahnaz of the PSC and Helen of Lindrick. Would you agree that Ms. Mahnaz Massoudi did not contact Lindrick Service Corporation until July 5, 2005? (not on June 30, 2005)
4. Would you further agree that PSC contacted the utility concerning customer complaints in reference to this incident?
5. Did the utility initiate contact with the PSC within one work day of the June 29, 2005 water service interruption, as required by Rule 25-30.251(2), Florida Administrative Code? (This would be on June 30, 2005).
6. If so, provide the name of the staff member who was contacted and the name of the Lindrick employee who initiated the notification.
7. If no notification was made by the company on June 30, 2005, provide an explanation as to why no such notification was made.
8. Why was the installation of the new pipe for Well #8 scheduled for 10:00 a.m. on June 29, 2005?

9. How did the closed valve “close down the entire system” as indicated in the incident report by Brent Hopkins, Lindrick Field Superintendent?

10. Why were Lindrick’s employees unaware that the valve would “close down the entire system?”

11. Why was Well # 2 shut down as indicated in the incident report by Brent Hopkins, Lindrick Field Superintendent?

12. Provide a copy of all construction permits for the installation of the new pipe for Well #8. This should include any permits from the Department of Environmental Protection (DEP) and Pasco county.

13. Was Lindrick replacing the old 14” cast iron pipe with a new 12” pipe?

14. Why did Lindrick’s personnel not have the correct piping onsite at the time the pipe was cut?

15. Was the June 30, 2005, system shut down, referenced in the incident report by Brent Hopkins, a scheduled interruption?

16. Were the customers notified of the interruption on June 30, 2005, as required by Rule 25-30.250(2), Florida Administrative Code? This is also outlined in your “Protocol of Events on Water Break and/or Service Interruption.”

17. If so, provide the date and explanation of how the customers were notified of the June 30, 2005 interruption. Also provide copies if a written notification was utilized.

18. Has the installation of the new pipe at Well # 8 been completed?

19. If so, provide the date of the completion. If not, provide the anticipated completion date.

20. Will the installation of the new added valve prevent recurrence of this incident?

21. Was water service interruption anticipated on June 29, 2005 for the installation of the new pipe?

22. Was water service interruption anticipated on June 30, 2005 for the installation of the valve?

23. Did the utility initiate contact with the PSC within one work week after service was restored, as required by Rule 25-30.251(2), Florida Administrative Code?

24. If so, provide the name of the staff member who was contacted and the name of the Lindrick employee who initiated the notification.

25. If no notification was made by the company within one work week of the restoration, provide an explanation as to why no such notification was made.

Joseph Borda
Page 3
July 18, 2005

26. Did the utility initiate contact with DEP within 24 hours of the water break, as outlined in your "Protocol of Events on Water Break (and/or Service Interruption)"?

27. If so, provide the name of the DEP staff member who was contacted and the name of the Lindrick employee who initiated the notification.

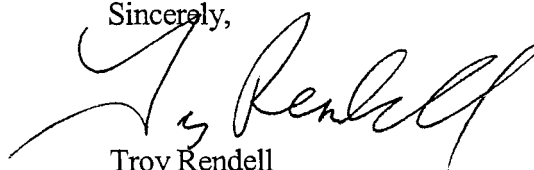
28. If no notification was made by the company within 24 hours of the service interruption, provide an explanation as to why no such notification was made.

29. We received a copy of the water incident report with your July 12, 2005 response. Why didn't Lindrick send a copy of the PSC Incident Report within one week, as outlined in your Protocol of Events on Water Break (and/or Service Interruption)?

30. Provide copies of all "Bacts test results" performed due to this water service interruptions.

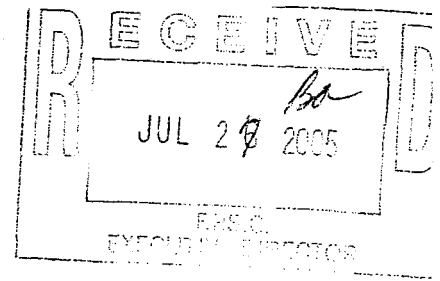
Please provide responses to staff's request in writing no later than August 2, 2005, as required by Rule 25-30.355, Florida Administrative Code.

Sincerely,



Troy Rendell
Public Utilities Supervisor

cc: Division of Economic Regulation (Willis, Massoudi)
Office of General Counsel (Jaeger)
Office of Strategic Analysis and Governmental Affairs (Williams)



**THE FLORIDA HOUSE OF REPRESENTATIVES
STATE REPRESENTATIVE JOHN LEGG**

District 46

ALLEN BENSE
Speaker of the House

LESLIE WATERS
Speaker pro tempore

July 22, 2005

RECEIVED
JUL 27 2005

Chairman Braulio L. Baez
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

DEPUTY EXECUTIVE DIRECTOR

Dear Chairman Baez:

We respectfully request that the Florida Public Service Commission conduct an investigation into the business practices of Lindrick Service Corporation, a private water utility company located in New Port Richey, Florida. This request is submitted to ensure the fiscal responsibility and work ethic of Lindrick Service Corporation, as we are of the opinion that this utility company may be in violation of regulations set forth by the State of Florida.

In the event that this request is approved, we would greatly appreciate two copies of the final investigation for record-keeping purposes.

Thank you for your prompt consideration of this request. Should you have any questions or concerns, please do not hesitate to contact our respective offices.

Sincerely,

John Legg
State Representative, District 46

Mike Fasano
State Senator, District 11

REPLY TO:

X 10014 Grove Drive, Suite B, Port Richey, Florida 34668 (727) 869-8600, FAX: (727) 861-5229
1401 The Capitol, 402 South Monroe Street, Tallahassee, Florida 32399 (850) 488-5522, FAX: (888) 635-4617



PASCO COUNTY, FLORIDA

Fax	(813) 929-1256	Emergency Services Department
Land O' Lakes	(813) 929-1250	David "Hap" Clark, Jr., Building
New Port Richey	(727) 847-2411, Ext. 1250	4111 Land O' Lakes Blvd., S-208
Dade City	(352) 521-4274, Ext. 1250	Land O' Lakes, FL 34639-4402

July 26, 2005

Troy Rendell
Public Utilities Supervisor
State of Florida Pubic Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Water Service Interruption by Lindrick Service Corporation

Dear Mr. Rendell:

Attached, please find three e-mails in response to the questions you posed in your letter to me dated July 18, 2005.

If you are in need of any further information, please do not hesitate to contact me.

Sincerely,

Anthony F. Lopinto
Emergency Services Director

AFL/dv

Attachments

RECEIVED
DEPARTMENT OF
REGULATION

05 JUL 32 AM 10:09

Anthony F. Lopinto

From: Station 19
Sent: Wednesday, July 20, 2005 2:54 PM
To: Anthony F. Lopinto
Subject: LINDRICK WATER 6/29/05

CHIEF LOPINTO PER OUR CONVERSATION ON 7/20/05 THE WATER DEPT NEVER ADVISED US OF THE WATER BEING SHUT OFF TILL WELL AFTER THE FACT I TRIED MYSELF TO CALL LINDRICK SEVERAL TIMES THROUGHOUT THE DAY AND RECEIVED A BUSY SIGNAL EVERY ATTEMPT THE FIRST TIME CONTACT WAS MADE WAS WHEN ONE OF THERE WORKERS CAME INTO STATION 19 AT 1700 TO ADVISE THE PROBLEM HAD BEEN FIXED, BUT IT WOULD TAKE UP TO 12 HOURS TO REBUILD PRESSURE AT THAT TIME I ADVISED DISPATCH OF THE SITUATION SO THEY COULD CONTINUE TO ROLL US A TANKER. CAPTAIN DESMARTEAU STATION 19 C

*This Email is from the Station 19 Captain
Who was on-duty the day in question*

TRANSMITTAL SLIP

DATE 7/22/2005

TO: Chief Lopinto _____

From: Inv. D. Campbell _____

Dept./Div.: ESD

For your information

For your file

For your action

Sent at your request

Other _____

Status Report

On June 29, 2005 I was contacted by Inspector Short, via telephone, and asked to check with Lindrick Utilities as to why the water was off at station 19. At approximately 1230 hrs I went by Limerick's office on US 19 to inquire. The receptionist told me that the water was off due to break near the intersection of US 19 and Mary Ann drive. I asked her if they had notified the Fire Department and she told me that "Brent" had done so. I asked her where "Brent" was located at, and she told me that he was at the work site. I then drove over to the site and met with several workers working on the broken main. They told me "Brent had gone into Tampa to get a part to repair the broken main. I asked them if they had contacted the Fire Department about the water outage and they said that they did not know. They contacted "Brent" via Nextel. Brent told them that he had notified the crew at station 19 earlier that morning. Brent also said that the water outage did not affect the fire hydrants in the area. They assured me that the water would be back on before 3:30 that afternoon.

I proceeded to check the flow of a couple of fire hydrants. I first checked the hydrant located at a construction site approximately one mile west of US 19 on Floramar. There was no water at this hydrant. I then went to the intersection of Floramar and Bar Harbor and attempted to flow that hydrant with the same results.

Later that afternoon, after 3:30 pm Inspector Short again contacted me. She informed me that the water was still not on and to please check on it. Again I went to the site off US 19 and Mary Ann drive. This time Brent was there. I was informed that the part he retrieved from Tampa was the wrong part, however they were making do with what material's they had on hand. I informed Brent that the hydrants were without water and that it was imperative to return them as soon as possible. I also inquired again as to his notification of the fire department. He again said that he told the crew at station 19 earlier that day. I gave him the correct number of emergency dispatch and told him to use that number in the future.

On June 30, 2005 I was contacted by Inspector Short and told that the water was off once again in Limerick's service area. I proceeded over to the site of the break, off of US 19 and Mary Ann drive, and met with Brent from Lindrick Utilities. I asked him if they had notified the Fire Department and he told me that he believed that the secretary in the office had done so. The workers on the site were completing the work and had already restored the water service.

*This e-mail is from The Insp/ Investigator
Assigned to investigate the incident*

Anthony F. Lopinto

From: John R. Schroeder
Sent: Wednesday, July 20, 2005 3:00 PM
To: Anthony F. Lopinto
Subject: FW: LINDRICK UTILITIES

Chief,

This is a copy of the email Larry Davis sent to our County Utilities to see if we could head-off future problems. I am reviewing some tapes for accuracy, however Jason Publicover told me that on the first incident (6/29) he received a call from Pasco Utilities asking if we knew anything about water being off in that area west of 19. Jason asked the Utilities person if they had been contacted by Lindrick; they advised no, that they had received calls from residents in the area. Shortly after that, Jason indicated he spoke with Station 19, and they advised their water was also off and that they had not received any prior notification. Up to and including July 1st, the only pre-notice we received was that water would be off on Tuesday, July 5th.

I will forward additional information from the audio conversations with Station 19 as soon as I complete research.

John Schroeder

E-911 Operations Manager
727-847-8163

jschroeder@pascocountyfl.net <<mailto:jschroeder@pascocountyfl.net>>

From: Larry E. Davis
Sent: Thursday, June 30, 2005 4:55 PM
To: Utilities Administration
Cc: Dispsuper; John R. Schroeder
Subject: LINDRICK UTILITIES

PLEASE DIRECT TO THE APPROPRIATE SOURCE.....

9-1-1/FIRE/RESCUE DISPATCH IS HAVING PROBLEMS WITH LINDRICK CUTTING OFF WATER TO HYDRANTS WITHOUT ANY NOTIFICATION. LINDRICK WHEN CONTACTED NOW FOR THE SECOND DAY IN A ROW SAID SIMPLY "OH YEA WE DID NOT CALL." DOES PASCO COUNTY GOVERNMENT HAVE ANY INFLUENCE TO INSURE THIS ATTITUDE CAN BE CORRECTED?

STATION 19 DISCOVERS THEY HAVE NO WATER IN THE BUILDING. THEN WE DISCOVER (AFTER TRYING TO GET THRU ON THE PHONE MANY MANY TIMES) THEY HAVE CUT WATER SERVICE. THEN OUR NON-EMERGENCY LINES, AS I SUSPECT YOURS DOES, RINGS WITH PASCO COUNTY CITIZENS WANTING SOMETHING DONE RIGHT NOW.

CAN WE DO ANYTHING? OUR FEAR IS A MAJOR STRUCTURE OR COMMERCIAL FIRE OCCURS AND WE DO NOT KNOW TO RESPOND UNITS WITH WATER SOURCES UNTIL A FIRE ENGINE ARRIVES ON THE SCENE.

Larry E. Davis, P.S.A.P. Manager
727-847-8163 x8832

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 28, 2005

Mr. Dan Hoppe
Director, Division of Regulatory Compliance
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RE: Letter dated July 13 from Gulf Harbors Civic Association

Dear Mr. Hoppe:

I have reviewed the comments made by Charles Wright, President of the Gulf Harbors Civic Association, and offer the following comments.

I'm sure that Mr. Wright has a true concern for his community; however, it's clear from his comments that he is not familiar with the facts.

Therefore, I have enclosed correspondence sent to Chairman Baez and Troy Rendell which hopefully will help in presenting the facts as they occurred.

I would also like to take this opportunity to solicit your help in getting Lindrick's two ("ready to go") wells on line for service to Lindrick's customers. (See enclosed letters) This will go a long way in resolving customer water problems, and will show Lindrick's true concern regarding our customers' health and welfare and Lindrick's effort in equalizing system water pressure while protecting long term water rates.

Very truly yours,



Joseph R. Borda, P.E.
for Lindrick Service Corp.

JRB/np

Enclosures (two letters)

cc: Ken Hoffman, Esquire
Jake Varn, Esquire – Fowler/White
Senator Mike Fasano
Representative John Legg
Commissioner Ann Hildebrand
Charlie Crist, Attorney General
Charles Wright

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 28, 2005

Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

ATTN: Troy Rendell
Public Utilities Supervisor

RE: Water Service Outage on June 29, 2005

Dear Troy:

Below please find our response to PSC's Second Request for information keyed to your numbers:

- 1./2. According to Helen McNeil, she discussed the above incident with Ms. Mahnaz Massoudi on June 30, 2005.
3. I assumed Helen McNeil's re-creation of the discussion date was accurate. I had confirmed with Helen prior to leaving for holiday on Thursday afternoon, June 30th, that all parties on our list were notified. By the way, it was Joe Borda who spoke to Ms. Mahnaz Massoudi on July 5, 2005, as witnessed, and asked her to FAX any additional questions, since I experienced some communication difficulties.
4. I do agree, plus I also called as reported above.
5. I am not aware that Rule 25-30.251(2) FAC requires the utility to initiate contact with the PSC. The rule states we only needed to notify the PSC. Since Ms. Massoudi was made aware by Helen, this would serve as notification.
6. Same as 1./2. above.
7. I had verified notification with Helen prior to leaving for holiday on Thursday afternoon, June 30th. Please understand that she became inundated with customers and visitors from DEP during this time period. (i.e.: Hopefully, Helen is not confused.)

Public Service Commission
July 21, 2005
Page 2 of 4

8. The work was not originally set for June 29th. However, the crew Lindrick hired to perform the work showed up unexpectedly on that date, since they became available from another job.
9. Several years ago H2O installed an interconnect (series of shut off valves) which functioned to isolate the various well fields serving Lindrick's tariff area. When Brent closed the valve selected (east of Rt. 19), he thought the Lindrick S & H wells 4 & 5 would still provide water to Lindrick's service area (i.e.: which they are fully capable of doing). Brent then tested the fire hydrant at Floramar west of route 19 (as a precaution) to check his assumption and found good flow into Lindrick's system. He then cranked up Lindrick's S & H wells 4 & 5 to peak capacity prior to cutting pipe, since all systems were on go!
10. Everyone at Lindrick (including myself) felt the interconnect would function as designed (i.e.: which is to allow isolation of the other well fields so the two S & H well fields could supply domestic water to Lindrick's customers during the construction.
11. Well #2 needed to be shut down in order to install the new 8" line.
12. Enclosed please find a copy of our permit from FDEP to install a new 8" line directly into Lindricks system, which line is necessary for proper chlorination of the water supply and which is clearly shown on our permit drawings.
13. Neither 14" nor 12" pipe was replaced. Only a Reducer Tee fitting was required to transition the existing 14" pipe down to the new 8" line.
14. Lindrick's procedure (i.e.: in an abundance of caution) when working with existing piping is to dig around pipe, measure and call the supplier with the measurements. The supplier then matches the pipe (or in this case) the fittings required to the work. Although this was done, after the pipe was cut, we tried to install the fitting, which did not fit. If it had fit, the fitting would have been installed quickly and water would have been restored to the system within one hour.
15. Yes. (Valve added in order to help prevent reoccurrence)
16. Yes.
17. See enclosed copy of notification of shut down after lunch for approximately two hours.
18. Yes.

Public Service Commission
July 21, 2005
Page 3 of 4

19. It was completed on June 29th pending backfill and clearance.
20. Yes, as long as the over 40 year old 14" line is not problematic. Lindrick plans to replace this old line in the near future, or add a valve if possible.
21. Lindrick did not anticipate any interruption of service on June 29th, as it planned to keep Lindrick's S & H wells 4 & 5 operational. (See 9 & 10 above)
22. Yes, as noticed, per Item 17.
23. Yes, by virtue of incident reports to customers faxed to PSC.
24. The PSC staff members who were faxed the report are as follows:
 - a. Ellen Plendl – 1 copy
 - b. Michelle Watson-Livingston – 2 copies
 - c. Shonna McCray – 3 copies
 - d. Loyda Lopez – 5 copies
 - e. Kaullis Marshall – 4 copies
 - f. Joy Anderson – 6 copies

Lindrick employee assisting Joseph R. Borda

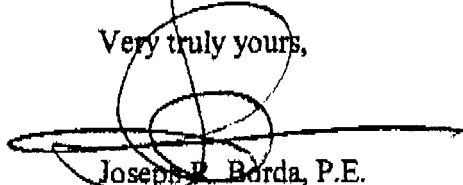
25. N/A
26. Yes.
27. Joseph Borda contacted Gwen Shofner at DEP and faxed notice of same (June 29th, 10:30 – 11:00 AM).
28. N/A
29. See #23./24. above. Lindrick faxed incident report to PSC staff members.
30. "Bacts test results" as submitted to DEP are enclosed. (Lindrick tried to expedite testing, but was unable to get them sooner due to the holiday.) Rescission letter sent out within one hour of receipt of second negative test result.

Please note that Lindrick has two additional wells with good quality water (without septic migration) which have not been allowed by FDEP, and which would protect Lindrick's customers' health and welfare, maintain consistent pressure, and stabilize long term water rates. FDEP has consistently denied Lindrick's customers their water rights for several years regarding the use of these wells.

Public Service Commission
July 21, 2005
Page 4 of 4

Please let me know if I can be of further assistance as you investigate this unfortunate scenario.

Very truly yours,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

Joseph P. Borda, P.E.
For Lindrick Service Corp.

JRB/np

cc: Ken Hoffman, Esquire
Jake Varn, Esquire - Fowler/White
Mr. Dan Hoppe, PSC

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

July 28, 2005

Mr. Braulio L. Baez
Chairman
Florida Public Service Council
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: June 29 Water Outage

Dear Chairman Baez:

On behalf of Lindrick Service Corporation ("Lindrick"), I would like to respond to State Representative John Legg's June 30, 2005 letter to you in which Representative Legg expressed some concerns regarding a water outage incident that occurred on June 29, 2005, in the Lindrick service territory. A copy of Representative Legg's letter is attached.

Representative Legg expressed a concern that a water boil advisory was not sent out in a timely manner. However, on June 29, 2005, the day of the water outage and as soon as Lindrick understood the nature of the water outage, Lindrick sent out boil water notices to, Bay News 9, the St. Pete Times, the County Health Department, and the Florida Department of Environmental Protection, and notified all homeowner associations to boil water as a precaution.

As to Representative Legg's concern regarding lack of fire service due to an absence of water in the fire hydrants, I can assure you that as soon as Lindrick became aware of the water outage, County Fire Station 19 was notified so that they would be able to take all necessary precautions.

Finally, as to the "lack of communication" and "no prior notice of outage," please be assured that Lindrick regrets this unfortunate incident. Lindrick had planned to keep (Lindrick's) S & H well system with its 2 wells operational during the planned line construction in order to satisfy the system demand and did not anticipate a water outage. There was initially some confusion as to whether or not the system pressure was reduced to zero, since both S & H wells were operating at peak capacity, which caused the mixed signals given to some customers. Furthermore, Lindrick experienced severe problems with its phone system during this period which made it very difficult to communicate with its customers. (A copy of the report regarding these problems is enclosed). Please be advised that all of the work performed by Lindrick appears on the DEP approved permit drawings. (i.e: which work is necessary to protect customer health and welfare.)

Lindrick has worked tirelessly for several years (since New Port Richey turned our water off) in trying to convince the Florida DEP to approve additional wells. These wells are ready to go, and test results show good water quality in compliance with DEP's rules (i.e.: absent septic migration). These additional wells will help protect our customers' health and welfare, stabilize water pressure, and protect our customer's future water rates. Lindrick had also appealed to the PSC for intervention regarding this effort. However, to date, help has not been forthcoming, and water related problems continue when our wells are being repaired or when over watering occurs, since DEP has continued to deny our customers their water rights.

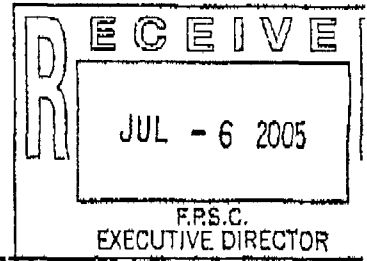
Please let me know if you have any questions or need additional information.

Very truly yours,



Joseph R. Berda, P.E.
for Lindrick Service Corp.

cc: Ken Hoffman, Esquire
Jake Varn, Esquire - Fowler/White
Sen. Mike Fasano
Rep. John Legg
Com. Ann Hildebrand
Charlie Crist, Attorney General

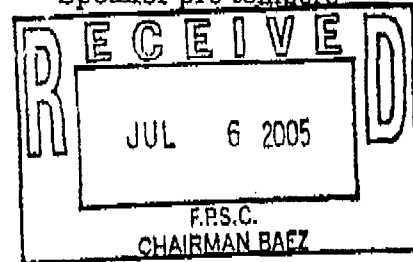


THE FLORIDA HOUSE OF REPRESENTATIVES
STATE REPRESENTATIVE JOHN LEGG
District 46

ALLEN BENSE
Speaker of the House

LESLIE WATERS
Speaker pro tempore

June 30, 2005



Mr. Braulio L. Baez
Chairman
Florida Public Service Council
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Dear Chairman Baez:

I would like to respectfully bring your attention to, and seek assistance on an issue of great importance that is affecting many of my constituents regarding their water service provider, Lindrick Service Corporation. On June 29, 2005 the customers of LSC went without water for approximately 9 hours. On June 30, 2005 water service was again interrupted and is still out as I write to you with my serious concern for my constituents. Residents of Gulf Harbors, Gulf Harbor Woodlands, Gulf Landings and the surrounding areas, including multi-family condominiums and two apartment complexes, are affected by these outages.

This is not only an issue of inconvenience, but a public safety issue. Some of my concerns are:

- Water boil advisory not sent out in a timely manner.
- Residents are without fire service due to the absence of water in fire hydrants.
- Lack of communication. No prior notice of outage or possible outage was given, nor any explanation to inform customers of situation.

According to the LSC field supervisor, the LSC was tying in a new line to bring additional wells on line and mistakenly thought existing wells could provide adequate service during this process. Therefore, LSC did not notify customers of any outage or potential outage. Unfortunately, they were incorrect and interrupted service for many residents.

NOT SOL!

To conclude, I believe we must investigate Lindrick Service Corporation and look into their history regarding policies, procedures and service quality on behalf of the public health, safety and welfare of thousands of people affected, and seek punitive action if necessary.

Respectfully,

[Signature]
John Legg
State Representative, District 46

CC: Hildebrand
Hubach
FDOH

REPLY TO:

X 10014 Grove Drive, Suite B, Port Richey, Florida 34668 (727) 869-8600, FAX: (727) 861-8229
1401 The Capitol, 402 South Monroe Street, Tallahassee, Florida 32399 (850) 488-5522, FAX: (888) 636-4617

July 14, 2005

MEMO REGARDING THE PROBLEMS WITH OUR PHONE LINES

During the first few weeks of June we experienced sporadic problems with the phone lines, the problems jumping from one line to the next (we have 8 phone lines and a fax line). Mostly the problem was heavy static on the line. Calls were made regarding lines 1 and 6, both of which are used by Prudential Best Real Estate, and the lines were checked out, from our office, and we were told that it was not Verizon's problem. Had we check with our inside provider. Advanced Telecom was called and came out, checked the situation out, and said there was nothing wrong with their equipment either. This was done prior to June 29th. On June 29th, Lindrick Service Corporation had a problem causing them to shut down the water. This was the day that problems on their line (line 7) kept causing it to go dead. That afternoon Verizon was again called. We were given ticket number FLDT 162564 and told that someone would be out in the morning. Verizon was then told that it needed to be that afternoon as this was a private utility company's line. They were federally regulated and had to provide phone service during working hours and emergency service during non working hours. (there were some instances that day when, if you picked up line 7, all you got was a busy signal). Verizon said that there was nothing they could do. They would have someone out first thing in the morning. When I went to turn the phone over to the answering service, that night, I could not get a dial tone and subsequently could not connect the answering service for overnight hours, which meant that no one could get a hold of the water company until morning. The next morning the repairman was out, even before I got there at 8:25 A.M. He came in and of course the phone worked perfectly. By the next day Friday, the phones were again acting up on lines 2 and 3 and also 7. Friday morning I called and was given the ticket no FLDT167362 and told that someone would be out at 4:18 that evening, could we get Advanced Telecom to come also. It was arranged. At 3:45 I was called by Verizon and told that they were simply too busy to come that day. I again told them of the problem with the utility company and was told that there was nothing they could do, they were simply just too busy. (About the time they were to come for us we had one of their repairman in checking our electrical room because there was a pay phone down the way that was not working properly.) I asked when they would then be able to come, on Tuesday? They said yes, at the same time. They never showed up. We have since found out the problem was with one of the electrical rooms for the plaza in which we are located. The problem is being fixed, per a repairman.

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

September 16, 2005

Joseph Borda
Lindrick Service Corporation
5245 U.S. Highway 19
New Port Richey, FL 34652

Re: Document Request concerning the June water outage

Dear Mr. Borda:

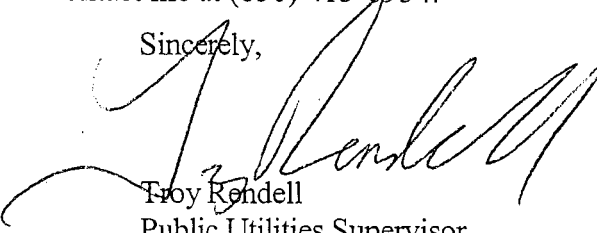
This is a follow-up document request to your response dated July 12, 2005. Please provide the following documents by October 7, 2005:

1. Provide a copy of all telephone bills for June, 2005 for Lindrick Service Corporation, or related affiliate companies, that contain all long distance telephone calls made to the Public Service Commission.
2. Provide a copy of the telephone bill for July, 2005 for Lindrick Service Corporation, or related affiliate companies, that contain all long distance telephone calls made to the Public Service Commission.
3. Provide a copy of all telephone bills for June, 2005 for Lindrick Service Corporation, or related affiliate companies, that contain all long distance telephone calls made to the Department of Environmental Protection.
4. Provide a copy of the telephone bill for July, 2005 for Lindrick Service Corporation, or related affiliate companies, that contain all long distance telephone calls made to the Department of Environmental Protection.

Joseph Borda
Page 2
September 16, 2005

These documents should be addressed to the attention of Mr. Troy Rendell. If you have any questions, please do not hesitate to contact me at (850) 413-6934.

Sincerely,



Troy Rendell
Public Utilities Supervisor

cc: Division of Economic Regulation (Willis, Massoudi)
Office of the General Counsel (Jaeger)
Division of Competitive Markets and Enforcement (Harvey, Vinson)

R Jaeger

BRAULIO L. BAEZ
CHAIRMAN

STATE OF FLORIDA



CAPITAL CIRCLE OFFICE CENTER
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6042

Public Service Commission

July 29, 2005

The Honorable John Legg
Florida House of Representatives
10014 Grove Drive, Suite B
Port Richey, Florida 34668

The Honorable Mike Fasano
The Florida Senate
8217 Massachusetts Avenue
New Port Richey, Florida 34653-3111

Re: Lindrick Service Corporation

Dear Representative Legg and Senator Fasano:

I am responding to your letter dated July 22, 2005, requesting that the Public Service Commission conduct an investigation into the business practices of Lindrick Service Corporation. I have instructed our staff to initiate a review of Lindrick's management policies and procedures. A written report will be produced to document the information gathered and any conclusions reached.

The Commission staff is already conducting an investigation into the water outages that occurred on June 29 and 30, 2005. Staff initially sent a data request dated July 8, 2005, and the utility responded by letter dated July 12. Based on the utility's response, a second data request consisting of 30 questions was sent on July 18, 2005, and is due on August 2. These data requests are part of our agency's investigation preliminary to any formal agency action. Additionally, staff has been in continuous contact with the Department of Environmental Protection on this matter and is currently working with them in conjunction with the investigation.

When staff have completed their review of the information received from the utility and DEP, they will bring the matter to the Commission for consideration and appropriate action.

The Honorable John Legg
The Honorable Mike Fasano
Page 2
July 29, 2005

We will provide your offices with copies of all reports resulting from these investigations. Should you have any questions or concerns, please do not hesitate to contact Mr. John Williams at (850) 413-6986.

Sincerely,


Braulio L. Baez
Chairman

BLB:TR:1

cc: Commissioner J. Terry Deason
Commissioner Rudolph "Rudy" Bradley
Commissioner Lisa Polak Edgar
Dr. Mary Andrews Bane, Executive Director
Mr. Charles H. Hill, Deputy Executive Director
Division of Competitive Markets and Enforcement (Salak, Harvey)
Division of Economic Regulation (Devlin, Willis, Rendell, Massoudi)
Office of General Counsel (Jaeger)
Office of Strategic Analysis and Governmental Affairs (Williams)

LINDRICK SERVICE CORPORATION

5245 U.S. Highway 19 N.
New Port Richey, FL 34652
(727) 848-1165

2894 West Bay Drive
Belleair Bluffs, FL 33770
(727) 588-2378

October 4, 2005

Public Service Commission
State of Florida
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

ATTN: Troy Rendell, Public Utilities Supervisor

RE: Document Request Concerning
Lindrick's June Water Outage

Dear Troy:

Enclosed please find copies of the long distance phone bills requested in your September 16, 2005, letter.

Phone calls to FDEP from my Belleair Office apparently are not long distance. Therefore, the phone call I personally made to FDEP (Gwen Shofner) on June 29 in the AM is not listed. However, I have provided a record of our faxes which lists the AM FAX (Notice) sent to FDEP after my conversation with Gwen regarding the June 29 outage.

Obviously, we would not have a bill regarding the conversation between Mahnaz and Helen since Mahnaz initiated the call. To the best of Helen's recollection, she received a call from Mahnaz on June 30th. I have a July 1 message from Helen regarding her conversation with Mahnaz. My conversation with Mahnaz (which I was sure I initiated on July 5) looks like it occurred on July 6 per phone bills requested. However, when I checked my cell phone bills, they prove I called her when I returned from holiday on July 5). (See enclosed bill). As I inferred in our prior response, Helen is not 100% sure of the

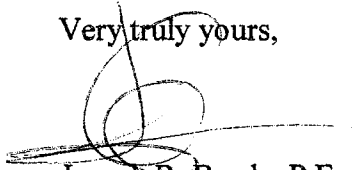
COMMUNICATIONS SECTION

05 OCT -5 PM 1:00

above dates as they seem to run together due to intense negative activity. (i.e.: I can't really blame Helen since she was inundated by the Press, DEP and customers, plus had severe phone problems (as documented) during this period)!

If you have any questions or desire additional information, please contact me directly.

Very truly yours,

A handwritten signature in black ink, appearing to be 'J. Borda', written over a horizontal line.

Joseph R. Borda, P.E., AIA
For Lindrick Service Corporation

JRB/np

Enclosure(s): Phone Record
June FAX Receipt Record

cc: Peggy Mountain
Helen McNeil