

State of Florida



ORIGINAL

Public Service Commission

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MAY 17 PM 2:11

-M-E-M-O-R-A-N-D-U-M- COMMISSION CLERK

DATE: May 17, 2006

TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director

FROM: Nina L. Merta, Professional Accountant Specialist, Division of Economic Regulation *SM*

RE: MSM Utilities, LLC - Docket No. 050587-WS

Attached is a May 17, 2006 e-mail from Bryan Orr, a lot owner at Rivers Edge, informing staff, Senator Bennett and Representative Beckett of the DEP, DBPR and Charlotte County Sheriff's Office interest in the utility. Please include this e-mail in the above docket file.

Cc: Division of Economic Regulation (Rendell)

- CMP _____
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DOCUMENT NUMBER-DATE
 04348 MAY 17 06
 FPSC-COMMISSION CLERK

Sam Merta

From: bryok@aol.com
Sent: Wednesday, May 17, 2006 12:36 PM
To: Sam Merta
Cc: bennett.mike.web@flsenate.gov; cynthia.beckett@myfloridahouse.gov
Subject: Fwd: The Oaks at Rivers Edge documents

Thanks much.

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

From: BryOK
To: NMerta@PFC.state.fl.us
Cc: bennett.mike.web@flsenate.gov; cynthia.beckett@myfloridahouse.gov
Sent: Wed, 17 May 2006 12:30:19 -0400
Subject: Fwd: The Oaks at Rivers Edge documents

Ms. Merta,

Please include this information in the public record for Docker NO. 050587-WS. If you need any verification and/or documents related to this information, please do not hesitate to write with a request.

My wife and I are lot owners at Rivers Edge (Lot 140) but are not available on June 8, 2006 for your customer meeting. We very much look forward to your findings and final determination.

Thank you.

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

From: BryOK
To: cynthia.beckett@myfloridahouse.gov; bennett.mike.web@flsenate.gov
Cc: wbates@ccso.org; James.Kady@DBPR.State.FI.US; Tracy.Corbitt@DBPR.State.FI.US; Mark.Charneski@dep.state.fl.us
Sent: Wed, 17 May 2006 12:11:23 -0400
Subject: Fwd: The Oaks at Rivers Edge documents

Senator Bennett and Representative Kregel,

FYI the attached correspondence from the Florida Department of Environmental Protection.

With all due respect, is this the best time for the Florida Public Service Commission to be conducting a "staff assisted rate case" for MSM Utilities, LLC at Rivers Edge (Hunter Creek Village) Docket No. 050587-WS which calls for an approximate 50% rate increase for both water and waste water treatment?

Doesn't MSM/Rivers Edge, Inc. have permits and contracts written which will require a significant expansion of the existing plant facilities here at our "Village?" What studies have been performed or planned to ascertain the air quality and water quality impact of these permitted and contracted projects?

Also note that the State Department of Business and Professional Regulation is conducting an investigation pursuant to Case Number 200602274 and the Economic Crimes Unit of the Charlotte County Sheriff's Office will be conducting its investigation.

Would it not be in the public interest to postpone the rate increase and the hearings associated with this

5/17/2006

process until these investigations and other civil court and association professional reviews have been concluded?

Isn't it time for the Honorable Dr. Kregel and Senator Bennett to order their staff to conduct an investigation into Rivers Edge, Inc.?

Shouldn't the legislature and even the Governor's Office be made aware of the issues and problems here so that remediation would occur i.e. order the corporation into receivership so as to get some control, audit, and accountability standards in place and determine what legislative and/or public policy initiatives should flow from this kind of situation?

Please intervene here. We need your help.

Thank you.

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

From: Charneski, Mark <Mark.Charneski@dep.state.fl.us>
 To: bryok@aol.com
 Cc: Phil.Showell@Verizon.net; orrjim@aol.com
 Sent: Wed, 17 May 2006 10:45:17 -0400
 Subject: RE: The Oaks at Rivers Edge documents

**I received the certification form today and it verifies your e-mail.
 We have started a civil enforcement case as I indicated previously we would.
 Thanks again for the head's up and I hope your Grandmother is feeling better.
 Mark**

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

From: bryok@aol.com [mailto:bryok@aol.com]
 Sent: Tuesday, May 16, 2006 11:19 PM
 To: Charneski, Mark
 Cc: Phil.Showell@Verizon.net; orrjim@aol.com
 Subject: Re: The Oaks at Rivers Edge document

Mr. Charneski,

Under separate cover I am sending you a copy of the "Drinking Water Warning" that we received as lot owners and association members at Rivers Edge (formerly The Oaks at River's Edge). Please note it is dated May 12, 2006 and was hand delivered to us on the same date. Your letter to Mr. Maltese of April 5, 2006 has a deadline of May 5, 2006. There was no other "posted" or "hand delivered" notice of this "Bacteriological MCL Violation & Nonacute Public Notice."

Thanks much for the attached information.

Ryan J. Orr

---Original Message-----

From: Charneski, Mark <Mark.Charneski@dep.state.fl.us>
 To: bryok@aol.com
 Sent: Mon, 15 May 2006 13:21:14 -0400
 Subject: The Oaks at Rivers Edge documents

Ill send the rules in the next e-mail so I don't overload your e-mail server.

ark Charneski
§III, Drinking Water Section
outh District, DEP
hone: 239-332-6975, ext. 135
AX: 239-332-6969

Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.