

Section 1 - Bureau of Records Complete

Docket No. 050587-WS Date Docketed: 09/06/2005 Title: Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Company: MSM Utilities, LLC

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA	CMP	(ECR)	GCL	PIF	RCA	SCR	SGA
		X	X				

("C") indicates OPR

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A1(b)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

Current CASR revision level

Due Dates
Previous Current

	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
Staff Counsel	8.			
	9.			
OCRs	10.			
	11.			
	12.			
	13.			
	14.			
	15.			
	16.			
	17.			
	18.			
	19.			
	20.			
	21.			
	22.			
	23.			
	24.			
	25.			
	26.			
	27.			
	28.			
	29.			
Recommended assignments for hearing and/or deciding this case:	30.			
	31.			
	32.			
Full Commission _____ Commission Panel _____	33.			
Hearing _____ Staff _____	34.			
	35.			
Date filed with CCA: _____	36.			
	37.			
Initials OPR _____	38.			
Staff Counsel _____	39.			
	40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	ED	--		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	ED	--	

Where panels are assigned the senior Commissioner is Panel Chairman:
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: _____
Date: 10849 NOV 29 08

Case Scheduling/Rescheduling Advice

Last Revised 09/23/2005 at 08:14

Page 1 of 1

Printed on 09/23/2005 at 08:57

- To:**
- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Commissioner Deason | <input checked="" type="checkbox"/> Deputy Executive Director/EXA | <input checked="" type="checkbox"/> Economic Regulation Director |
| <input type="checkbox"/> Commissioner Bradley | <input checked="" type="checkbox"/> General Counsel Director | <input type="checkbox"/> External Affairs Director |
| <input type="checkbox"/> Commissioner Edgar | <input type="checkbox"/> Auditing & Safety Director | <input checked="" type="checkbox"/> Court Reporter |
| <input type="checkbox"/> Commissioner Davidson | <input checked="" type="checkbox"/> Comm. Clerk & ADM Services | <input type="checkbox"/> Staff Contact |
| <input checked="" type="checkbox"/> Executive Director | <input type="checkbox"/> Competitive Markets/Enforcement | |
| <input checked="" type="checkbox"/> Public Information Officer | <input checked="" type="checkbox"/> Consumer Affairs Director | |

From: Office of Chairman Braulio Baez

Docket Number: 050587-WS

Docket Title: Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Customer Meeting		03/15/2006	Punta Gorda	6:00 PM - 8:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	ED	--		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	ED	--		X

Prehearing Officer

Commissioners					
BZ	DS	BD	ED	--	ADM

Commissioners					
BZ	DS	BD	ED	--	ADM
	X				

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: Customer meeting

Section 1 - Bureau of Records Complete

Docket No. 050587-WS Date Docketed: 09/06/2005 Title: Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Company: MSM Utilities, LLC

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to: CCA CMP (ECR) GCL PIF RCA SCR SGA
 ("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module		Time Schedule		
A1(b)		WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770		
Staff Assignments		Due Dates		
		0	Current CASR revision level	Previous Current
OPR Staff	S Merta, S Bruce			
	B Fletcher, J Lingo			
	M Massoudi, T Rendell	1.	Forms Requesting Assistance Filed	NONE 09/06/2005
	M Willis	2.	AUS Initial Review Report	NONE 09/27/2005
		3.	SARC Approval/Denial Letter	NONE 10/04/2005
		4.	Committee Meets to Discuss	NONE 10/04/2005
		5.	Audit Service Request	NONE 10/04/2005
Staff Counsel	J Rodan	6.	Company Pays Filing Fee	NONE 11/03/2005
		7.	Audit Report Due	NONE 12/05/2005
		8.	Engineering Analysis Due to Analyst	NONE 12/12/2005
		9.	PrImry Staff Report to Eco.& Rates for Analys	NONE 01/03/2006
		10.	Repression/Conservation Analysis to Staff	NONE 01/10/2006
		11.	Engineering/Repression Cons. Issues to Analyst	NONE 01/17/2006
		12.	PrImry Staff Report to Supervisor	NONE 01/24/2006
OCRs (RCA)	J Rohrbacher, D Vandiver	13.	OPR Provides Legal with Customer Notice Data	NONE 01/31/2006
		14.	Legal Sends Notice and Reports to Company	NONE 02/07/2006
		15.	FAW Notice Filed	NONE 02/14/2006
		16.	Customer Meeting	NONE 03/15/2006
		17.	Staff Recommendation	NONE 04/06/2006
		18.	Agenda	NONE 04/18/2006
		19.	PAA Order	NONE 05/08/2006
		20.	Protest Period Expires	NONE 05/30/2006
		21.	Consummating Order if No Protest	NONE 06/01/2006
		22.	Close Docket or Revise CASR	NONE 06/07/2006
		23.		
		24.		
		25.		
		26.		
		27.		
		28.		
		29.		
		30.		
	31.			
	32.			
	33.			
	34.			
	35.			
	36.			
	37.			
	38.			
	39.			
	40.			

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Staff

Date filed with CCA: 09/27/2005

Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes Assignments are as follows:

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	ED	--		
X							

Commissioners					ADM
BZ	DS	BD	ED	--	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/Am
 Date: 09/27/2005

Case Scheduling/Rescheduling Advice

Last Revised 11/04/2005 at 11:51

Page 1 of 1

Printed on 11/04/2005 at 11:58

To: Commissioner Deason Deputy Executive Director/EXA Economic Regulation Director
 Commissioner Bradley General Counsel Director External Affairs Director
 Commissioner Edgar Auditing & Safety Director Court Reporter
 Commissioner Arriaga Comm. Clerk & ADM Services Staff Contact
 Executive Director Competitive Markets/Enforcement
 Public Information Officer Consumer Affairs Director

From: Office of Chairman Braulio Baez

Docket Number: 050587-WS

Docket Title: Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Customer Meeting	03/15/2006	06/08/2006	Punta Gorda	6:00 PM - 8:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Current Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	ED	AR		

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	ED	AR		
							X

Prehearing Officer

Commissioners						
BZ	DS	BD	ED	AR	ADM	

Commissioners						
BZ	DS	BD	ED	AR	ADM	
	X					

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: Customer meeting

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

STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

September 7, 2005

Ben J. Maltese, Managing Partner
MSM Utilities, LLC
9696 Bonita Beach Road, Suite 210
Bonita Springs, Florida 34135

Re: Docket No. 050587-WS

Dear Mr. Maltese:

This will acknowledge receipt of an application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC, which was filed in this office on September 6, 2005, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

I:\Records\acklet-no-app.doc

DOCUMENT NUMBER: 047
10849 NOV 29 2005
FPSC-COMMISSION CLERK

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

STATE OF FLORIDA



RECEIVED-EPSC
TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-1000
NOV 14 PM 4:11

COMMISSION
CLERK

Public Service Commission

November 14, 2005

Ms. Peggy Ray
MSM Utilities, LLC
9696 Bonita Beach Road, Suite 210
Bonita Springs, FL 34135

Re: Application for staff assisted rate case by MSM Utilities, LLC, Docket No. 050587-WS

Dear Ms. Ray:

This letter is to follow-up your phone conversation with Mr. Bart Fletcher and Ms. Sam Merta and confirm our reservation of The Oaks at Rivers Edge Community Clubhouse for Thursday, June 8, 2006 from 2:00 pm to 10:00 pm. We are planning to hold afternoon meetings from 2:00 pm to 5:00 pm, followed by a general customer meeting beginning at 6:00 pm. We may finish the general customer meeting before 10:00 pm depending on the number of attendees and the number of comments received. Please release our reservation for March 15, 2006.

I understand that the clubhouse has an audio system available for our use. I am attaching a seating arrangement which we normally use for these public meetings. If you have any questions, please contact Sam Merta at (850) 413-6427 or Bart Fletcher at (850) 413-7017. Thank you for your help.

Sincerely,

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

Troy Rendell
Public Utilities Supervisor

TR:sm

Enclosure

cc: Division of Economic Regulation (Willis, Massoudi, Fletcher, Merta)
General Counsel (Rodan)
Division of Commission Clerk & Administrative Services (050587-WS)

State of Florida



ORIGINAL

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD 21
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: May 24, 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 and a May 23, 2006 e-mail from Bryan Orr, a lot owner at Rivers Edge, regarding water quality issues, postponement of the customer meeting and opposition to the rate increase. Please include the e-mail in the correspondence file of the above docket.

Cc: Division of Economic Regulation (Rendell)

Sam Merta

From: bryok@aol.com
Sent: Wednesday, May 17, 2006 12:40 PM
To: Sam Merta
Subject: Fwd: REPHA - Water Rate Increase

Also thought you should have this.

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

From: BryOK
To: Mark.Charneski@dep.state.fl.us
Sent: Tue, 16 May 2006 23:20:46 -0400
Subject: Fwd: REPHA - Water Rate Increase

Personal FYI.

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

From: BryOK
To: jack6938@hotmail.com
Cc: b.roush1612@comcast.net; concord.2@pocketmail.com; padriaansen1@rochester.rr.com
Sent: Tue, 16 May 2006 22:50:27 -0400
Subject: Re: REPHA - Water Rate Increase

Hey Jack,

For the record, I have some questions as follows:

1. Were all the members of REPHOA, Inc. given a copy of the "Drinking Water Warning" P. 07 dated May 12, 2006? (I have contacted the EPA about this warning.)
2. Does the Environmental Protection Agency (EPA) have any rules which govern both "customer" notification of "Drinking Water Warning(s)" and EPA actions and/or fines about those "warning(s)?" Has the EPA fined the Association "water and waste water treatment" provider and if so for what violations?
3. Does the Board of Directors of REPHOA, Inc. have any obligations under Florida Statutes to notify its membership about water quality issues identified by the EPA?
4. Has the Board of Directors of REPHOA, Inc. commissioned any studies that would assess the water and air quality impact of Maltese Enterprises, Maltese Realty, and Rivers Edge, Inc. (as a private utility) and/or MSM Utilities, LLC, public plans/contracts for water and waste water treatment facilities and services?
5. Your comment about the outlined rate increases being "only his proposal" seem inaccurate. Please read page 3 of the notice. It states that these rates are Florida Public Service Commission (FPSC) "staff's preliminary rates."

Also be advised that my mother in law was admitted to Charlotte County Regional Hospital on May 13, 2006. She spent ten (10) days in the Hospital fighting symptoms and infections that could have been caused by "bad water." My wife and I are doing a medical review which will identify any potential and/or actual relationship between the water quality "warning" and her health problems. Further we are in the process of retaining counsel who will examine this and the many other problems which we believe have and continue to occur here at our "Village."

Please circulate this email with any of your answers to all the members of the Board of Directors of REPHOA, Inc. Also you may want to notify the other Association members.

5/17/2006

Thank you.
-----Original Message-----
From: Jack Jones <jack6938@hotmail.com>
To: Jraiker@starband.net; 'Joan Trask' <jmtrask1932@nut-n-but.net>; 'wayne lesperance'
<dancingbear@tds.net>; joaniem@chillitech.net; 'dottie/bill' <dpruneski@martintel.net>; hickeyjan@aol.com;
fabeasom@aol.com; 'Robert Wollitz' <nobow@suritynet.net>; bryok@aol.com; maddy246@comcast.net;
liddion@adelphia.net; 'janice danburg' <jandan@strato.net>; 'Charlie and Kathy Goodman'
<charlie_kathy@yahoo.com>; 'Charlotte Burda' <twobirdies@msn.com>; ezgoin1@comcast.net; 'Maurice Millard'
<mauricem54@comcast.net>; 'Bill Mulconnery' <bmulconnery@comcast.net>; 'Elaine Seavey'
<gods1sheep@comcast.net>; 'Jack Jones' <jack6938@hotmail.com>; liapa@comcast.net; ellieliz50@hotmail.com;
vj6953@adelphia.net; praley1@earthlink.net; padriaansen1@rochester.rr.com; wenho9@comcast.net
Sent: Tue, 16 May 2006 09:51:38 -0400
Subject: REPHA - Water Rate Increase

Looks like a substantial rate increase – this is only his proposal, if we line up our ducks we should be able to have it decreased. You should of received a copy of the rate increase notification in the mail. Jack

Sam Merta

From: Troy Rendell
Sent: Tuesday, May 23, 2006 12:47 PM
To: 'bryok@aol.com'
Cc: Sam Merta; Bart Fletcher; Ralph Jaeger; Jennie Lingo; Mahnaz Massoudi
Subject: RE: Rivers Edge Rate Case

Thank you for your comments. We will place them in the docket file for consideration. Staff will consider all customer comments in making its recommendation to the Commission.

From: bryok@aol.com [mailto:bryok@aol.com]
Sent: Tuesday, May 23, 2006 12:40 PM
To: Troy Rendell
Cc: Sam Merta; Ralph Jaeger; Jennie Lingo; Bart Fletcher
Subject: Re: Rivers Edge Rate Case

Mr. Rendell,

Again you assert that you cannot postpone the customer meeting. I fully understand that you cannot "waive this (the) time frame (the 15 months)." And further that you are working to finish this case but waiving "this time frame to accommodate staff's evaluation of the utility's information" is hardly a compelling reason for a customer to accept your assigned customer meeting date and thereby to forego their opportunity to appear and testify.

Further to suggest that we as customers should also be reassured that "Staff worked closely with the utility to minimize the impact of this rate increase." is to obviate the size and actual monthly cost increases that will be born by the many seniors who live at Rivers Edge if the current staff recommendations are adopted.

If the staff proposed rate was scaled and/or more modest, the need to provide adequate time and **opportunity for customer responses** might be less of a concern.

Those HOA residents I have spoken with tell me **THEY CANNOT AFFORD THIS INCREASE. Also it is being proposed in an adverse context.** The HOA members here may also have to pay increased assessment costs associated with replacing the amenities which we all lost when the developer/utility owner purchased phases II and III. I believe you should be considering all these factors as well as your work load when you deal with us - the **customers of the utility.**

We can continue to go back and forth on this matter, but until you make better provision for more of the HOA members and customers to participate in this critical process, I cannot concede that you are doing the right thing.

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

From: Troy Rendell <TRendell@PSC.STATE.FL.US>the
To: bryok@aol.com
Cc: Sam Merta <NMerta@PSC.STATE.FL.US>; Ralph Jaeger <RJaeger@PSC.STATE.FL.US>; Jennie Lingo <JLingo@PSC.STATE.FL.US>; Bart Fletcher <BFletche@PSC.STATE.FL.US>
Sent: Tue, 23 May 2006 08:36:05 -0400
Subject: RE: Rivers Edge Rate Case

As indicated in Ms. Merta's response, the Commission is bound by statutory deadline to complete the staff assisted rate case process. Pursuant to Section 367.0814(2), Florida Statutes, the Commission must issue a final order within 15 months after the official date of filing. This includes time for the staff audit, initial customer meeting, initial Commission decision, and the hearing

process if the PAA order is protested. As previously state, the Commission cannot waive this timeframe, and thus cannot reschedule the customer meeting until October. However, it should be noted that the utility has waived this timeframe already to accommodate staff's evaluation of the utility's information. Staff has worked closely with the utility to minimize the impact of this rate increase to its customers. As discussed in the Staff Report dated May 5, 2006, both the staff and the utility owner has concerns about the increase in rates and the impact. We worked out an agreement where we included future customers to lower the proposed rates. If you would like, we can e-mail the Staff Report to you. It is a Word document which is 59 pages. The Staff Report contains **Preliminary** findings thus far in staff's analysis. These are subject to change in staff's recommendation which is tentatively scheduled to be filed on July 6, 2006 for an agenda conference on July 18, 2006.

From: bryok@aol.com [mailto:bryok@aol.com]
Sent: Tuesday, May 23, 2006 6:42 AM
To: Sam Merta
Cc: Troy Rendell
Subject: Re: Rivers Edge Rate Case

Ms. Merta,

Thank you for your explanation of a SARC process but I am concerned about your statement that the customer meeting can not be rescheduled because of the SARC time frame. Would the legislation proscribed time frame prohibit you from rescheduling the meeting until for example October, 06' when many more customers are available to testify or is the June date simply more convenient for Commission staff? While I appreciate the challenges you must face regulating all the utilities you identify, I wonder if the legislation you cite, was intended to also protect the rate payers?

As I have noted, this SARC is going on against a less than propitious backdrop for the customers of this utility. Also be advised that my wife and I have retained counsel to review all the matters I allude to in other email and make recommendations for court action.

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

From: Sam Merta <NMerta@PSC.STATE.FL.US>
To: bryok@aol.com
Cc: Troy Rendell <TRendell@PSC.STATE.FL.US>
Sent: Mon, 22 May 2006 09:44:10 -0400
Subject: RE: Rivers Edge Rate Case

Mr. Orr:

The Commission does not have the authority to tell a utility when it can file a rate case. The filing of a rate case is a management decision made by the utility when the utility is losing money or earning less than a fair rate of return. The acceptance of an application for a staff assisted rate case (SARC) by the utility starts the fifteen month time frame allowed by Section 367.0814, Florida Statutes. During the fifteen months, staff accountants, engineers, attorneys, and economic analysts conduct an extensive investigation of the utility's request. A preliminary audit to determine eligibility is done, followed by an audit of the books and records, expenditures and revenues of the utility. Staff engineers and accountants make on site investigations of the company's operations. Staff analyzes the engineering and audit reports and prepares a staff report for a customer meeting. The customer meeting is held in the service area to allow the customers to offer comments on quality of service and the rates under consideration. After considering the comments of the customers and the findings of the investigations and audit, a staff recommendation is prepared and scheduled for an agenda conference for consideration by the Commission. The Commission votes to adopt, reject, or modify staff's recommendation and issues an order. The order becomes final if it is not protested within a twenty-one day protest period. If the case is protested, it will be scheduled for hearing. When a case goes to hearing, time must be allowed for direct testimony by the utility, the intervenor and staff, for rebuttal testimony, and for discovery (depositions and interrogatories). Following the hearing, each of the parties prepares a brief then the staff prepares a recommendation based on the evidence presented at the hearing. The Commissioners will vote on the recommendation and issue a final order. All of the above activities must be scheduled and completed within the fifteen month time frame dictated by the Legislature.

Pursuant to Section 367.0814(2), Florida Statutes, the official filing date for a SARC is thirty days after official acceptance of the application by the Commission. The Commission accepted MSM Utilities' application on October 4, 2005. Therefore the official filing date is November 3, 2005, and the fifteen month expiration date is February 3, 2007. It must be remembered that the Commission regulates five investor-owned electric companies, seven investor-owned natural gas utilities, over 200 water and wastewater utilities, and many telephone companies. Finding time on the Commissioners' calendars for hearings in the service area and in Tallahassee

5/23/2006

s a difficult task given the demands placed on the Commission. The Commission does not have the authority to waive the time frame for a SARC. Therefore, the customer meeting can not be rescheduled. Based upon the official filing date of this case, dates were reserved for the activities described above in order to complete the process within the fifteen month statutory time frame. The Commission realizes that Florida is a seasonal state and that all customers may not be in residence at the time of the customer meetings. However, the Commission must conduct its business year round to process the petitions of the many utilities it regulates. In order to accommodate those customers who are unable to attend the customer meeting and who wish to voice an opinion, written comments may be submitted for consideration by the Commission. I can assure you that these comments are read and taken into consideration just as though the author spoke at the customer meeting.

From: bryok@aol.com [mailto:bryok@aol.com]
Sent: Thursday, May 18, 2006 9:47 PM
To: Sam Merta
Subject: Fwd: Rivers Edge Rate Case

Sorry!
-----Original Message-----
From: BryOK
To: NMerta@PFC.state.fl.us
Cc: cynthia.beckett@myfloridahouse.gov; bennett.mike.web@flsenate.gov
Sent: Thu, 18 May 2006 17:24:53 -0400
Subject: Rivers Edge Rate Case

Ms. Merta,

It may also be important to note that six of our eight HOA Board of Directors may not be here on the hearing date and many of the other homeowners are also away for the season.

How can you conduct a representative hearing when so few people will be available to comment on the issue?

Thanks

Kay Flynn

050587

From: Kay Flynn
Sent: Friday, June 02, 2006 5:00 PM
To: Sam Merta; Ralph Jaeger
Cc: Beth Salak; Blanca Bayo; Rhonda Hicks
Subject: RE: My complaint

I am forwarding the e-mail below to you for response. Please see the questions from a customer concerning the 6/8 customer meeting.

Thanks.

Kay

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

From: Blanca Bayo
Sent: Friday, June 02, 2006 4:56 PM
To: Rhonda Hicks; Kay Flynn
Cc: Beth Salak
Subject: RE: My complaint
Importance: High

I believe this should be forwarded to the OPR in the docket and/or the GC staff on the docket.

Kay, please pull the docket information (OPR and GC) and forward to the correct staff. Thanks!

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

From: Rhonda Hicks
Sent: Friday, June 02, 2006 4:02 PM
To: Blanca Bayo
Cc: Beth Salak
Subject: FW: My complaint

Blanca,
 Is this something your group handles?

Thanks,
 Rhonda L. Hicks
 (850) 413-6449

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

From: Ruth McHargue
Sent: Friday, June 02, 2006 3:19 PM
To: Rhonda Hicks
Subject: FW: My complaint

Who do we send this request to?

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

From: Angie Calhoun
Sent: Friday, June 02, 2006 2:59 PM
To: Ruth McHargue
Subject: FW: My complaint

To CCA

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Friday, June 02, 2006 12:15 PM
To: Consumer Contact
Cc: mauricem54@comcast.net
Subject: My complaint

Contact from a Web user

Contact Information:

Name: Maurice Millard
Company:
Primary Phone: 941-505-8090
Secondary Phone:
Email: mauricem54@comcast.net

Response requested? Yes

CC Sent? Yes

Comments:

Reference Docket 050587

In the initial letter recieved regarding the hearings on subject docket, both afternoon and evening hearings were defined. The afternood session was intended for group representatives. On your web site I notice only an evening meeting is specified.

I have been nominated by a group in this park to make a presentation. The Homeowners Association has declined to take a formal position for good reasons.

I doubt that very many people will attend, as most have good North for the summer.

Questions: Are there still PM and Evening sessions?

Which one should I attend?

Would you like an advance copy of the material I have prepared?

ORIGINAL

RECEIVED-FPSC

06 JUN 14 PM 3:52

COMMISSION
CLERK

Application for a Staff-Assisted Rate Case in Charlotte County by

MSM Utilities, LLC

DOCKET NO. 050587-WS

RECEIVED

JUN 13 2013

Florida Public Service Commission
Tallahassee, FL

Name JANICE M. DANBURG

Address 9260 ACORN BLVD.

11601 IBIS CT LOT 116 PONTA GORDA
FL

If you want to let the Public Service Commission know how you feel about this case,
you may fill out this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

1. I WOULD LIKE TO KNOW IF MSM'S LOSSES ARE FROM THE TAKEOVER FROM THE OAK'S FOR THE DISREPAIR OF THE PLANTS?

2. WHAT DOES MSM PLAN TO DO ABOUT THE WATER THAT IS DESTROYING FIXTURES & DISCOLORING SINKS + TUBS?

3. WHAT IS BEING DONE ABOUT THE BAD WATER REPORTS WE KEEP GETTING NOTIFIED ABOUT.

4. WHAT HEALTH PROBLEMS CAN I EXPECT TO HAVE?

5. I WAS NOTIFIED LAST YEAR THAT MSM PLANS ON BUILDING A NEW PLANT. ARE WE GOING TO GET ANOTHER INCREASE FOR THAT TO?

6. MSM PLANS ON SUPPLYING HIS NEW DEVELOPMENT AND ALL SURROUNDING AREAS' WILL WE BE CHARGED FOR THAT ALSO?

CMP
COM
CTR
ECR
SCL
JPC
RCA
SCR
SGA
SEC
DTH

Fold and tape - see back for address

Angie Calhoun

From: NET SatisFAXtion [postmaster]
To: Consumer Contact
Subject: 941 637 8520, 1 page(s)

Attachments: FAX.TIF

You have received a new fax. This fax was received by **NET SatisFAXtion**. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

Received On: 6/13/2006 4:39 PM
Number of Pages: 1
From (CSID): 941 637 8520
From (ANI):
Sent to DID:

Duration of Fax: 0:01:07
Transfer Speed: 24000

Received Status: Success
Number of Errors: 133
Port Received On: RockForceOCTO+ Port 6



FAX.TIF
(33 KB)

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: June 15, 2006

TO: Division of the Commission Clerk and Administrative Services

FROM: Ralph R. Jaeger, Senior Attorney, Office of the General Counsel

RE: Docket No. 050587-WS - Application for a Staff-Assisted Rate Case in Charlotte County by MSM Utilities, LLC

Please place the following names (with addresses and telephone numbers) on the list as interested persons and designate with an (R) to reflect that they wish to receive a copy of the staff recommendation.

1. Gertrude Ireland
1680 Ibis Court
Punta Gorda, FL 33982
(941) 639-7528

2. Pat Raley
1686 Ibis Court
Punta Gorda, FL 33982
(941) 639-0457

3. Brenda Hudachko
29026 Wood Duck Drive
Punta Gorda, FL 33982

4. Maurice Millard
1606 Hunter Creek Drive
Punta Gorda, FL 33982-1132
(941) 505-8090

COMMISSION
CLERK

06 JUN 15 AM 10:46

RECEIVED-FPSC

RRJ/jb

I:050587memocca.rj.doc

*Done
06/19/06
KMP*

State of Florida



ORIGINAL

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED - FPSC

06 JUN 21 PM 12:30

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

DATE: June 21, 2006
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Nina L. Merta, Professional Accountant Specialist, Division of Economic Regulation *SM e*
RE: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC

Attached is a June 13, 2006 letter from Janice M. Danburg regarding quality of service, losses, new plant and the increase in service territory of MSM Utilities, LLC. Please include the letter in the correspondence file of the above docket.

Cc: Division of Economic Regulation (Rendell)

ORIGINAL

RECEIVED--FPSC

06 JUN 14 PM 3:52

COMMISSION
CLERK

Application for a Staff-Assisted Rate Case in Charlotte County by

MSM Utilities, LLC

DOCKET NO. 050587-WS

RECEIVED

JUN 13 2006

Florida Public Service Commission
Division of PCA

Name JANICE M. DANBURG

Address 9260 ACORN BLVD.

11601 IBIS CT LOT 116 PONTAGORDA
FL

If you want to let the Public Service Commission know how you feel about this case,
you may fill out this comment form and return it by mail, or send a fax to 1-800-511-0809.

Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

1. I WOULD LIKE TO KNOW IF MSM'S LOSSES
ARE FROM THE TAKEOVER FROM THE OAK'S
FOR THE DISREPAIR OF THE PLANTS?

2. WHAT DOES MSM PLAN TO DO ABOUT THE
WATER THAT IS DESTROYING FIXTURES &
DISCOLORING SINKS & TUBS?

3. WHAT IS BEING DONE ABOUT THE BAD
WATER REPORTS WE KEEP GETTING
NOTIFIED ABOUT.

4. WHAT HEALTH PROBLEMS CAN I EXPECT
TO HAVE?

5. I WAS NOTIFIED LAST YEAR THAT MSM
PLANS ON BUILDING A NEW PLANT. ARE WE
GOING TO GET ANOTHER INCREASE FOR
THAT TO?

6. MSM PLANS ON SUPPLYING HIS NEW DEVELOPMENT
AND ALL SURROUNDING AREAS. WILL WE BE CHARGED
FOR THAT ALSO?

Fold and tape -- see back for address

MP
OM
TR
CR
CL
PC
CA
CR
GA
EC
TH

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199
RECEIVED-TFSC
08 JUL -7 PM 1:31

Public Service Commission

COMMISSION
CLERK

July 6, 2006

Mr. Ben J. Maltese
MSM Utilities, LLC
9696 Bonita Beach Road, Suite 210
Bonita Springs, FL 34135-8504

Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Mr. Maltese:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

A handwritten signature in cursive script that reads "Ralph R. Jaeger".

Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.nj.doc

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOK
GENERAL COUNSEL
(850) 413-6199
RECEIVED FPSC
05 JUL -7 PM 1:31

Public Service Commission

COMMISSION
CLERK

July 6, 2006

Ms. Brenda Hudachko
29026 Wood Duck Drive
Punta Gorda, FL 33982

Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Ms. Hudachko:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

A handwritten signature in black ink that reads "Ralph R. Jaeger".

Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.rj.doc

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199
RECEIVED FPSC
05 JUL -7 PM 1:31

COMMISSION
CLERK

Public Service Commission

July 6, 2006

Ms. Gertrude Ireland
1680 Ibis Court
Punta Gorda, FL 33982


Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Ms. Ireland:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,


Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.rj.doc

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

RECEIVED-PPSC
06 JUL -7 PM 1:31

COMMISSION
CLERK

Public Service Commission

July 6, 2006

Mr. Maurice Millard
1606 Hunter Creek Drive
Punta Gorda, FL 33982-1132

Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Mr. Millard:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

A handwritten signature in cursive script that reads "Ralph R. Jaeger".

Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.rj.doc

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

RECEIVED-FPSC
06 JUL -7 PM 1:31

COMMISSION
CLERK

Public Service Commission

July 6, 2006

Pat Raley
1686 Ibis Court
Punta Gorda, FL 33982

Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Mr. Raley:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

A handwritten signature in black ink that reads "Ralph R. Jaeger".

Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.rj.doc

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

RECEIVED-FPSC

06 JUL -7 PM 1:31

Public Service Commission

COMMISSION
CLERK

July 6, 2006

Mr. Frank Seidman
Management & Regulatory Consultants, Inc.
P. O. Box 13427
Tallahassee, FL 32317-3427

Re: Docket No. 050587-WS - Application for staff-assisted rate case in Charlotte County by MSM Utilities, LLC.

Dear Mr. Seidman:

Enclosed is a copy of the Staff Recommendation filed in this matter on July 6, 2006. The Commission is expected to consider this Recommendation at its July 18, 2006, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6234.

Sincerely,

A handwritten signature in cursive script that reads "Ralph R. Jaeger".

Ralph R. Jaeger
Senior Attorney

RRJ:jb

cc: Division of Economic Regulation (Merta, Fletcher, Lingo, Massoudi, Rendell, Willis)
Division of Regulatory Compliance & Consumer Assistance (Vandiver, Welch)
Division of the Commission Clerk and Administrative Services (Docket file)

I:2005/050587recltr.rj.doc

handout by OPC
 Item 18 7/18/06
 050⁵⁸⁷-WS

UTILITY NAME: MSM UTILITIES, LLC
 SYSTEM NAME: MSM UTILITIES, LLC

YEAR OF REPORT
 December 31, 2005

PUMPING AND PURCHASED WATER STATISTICS

(a)	Water Purchased For Resale (gallons)_ (b)	Finished Water From Wells (gallons)_ (c)	Recorded Accounted For Loss Through Line Flushing Etc. (gallons)_ (d)	Total Water Pumped And Purchased (gallons)_ [(b)+(c)-(d)] (e)	Water Sold To Customers (gallons)_ (f)
January		160,500	-	160,500	160,500
February		222,200		222,200	169,510
March		173,200	6,000	167,200	150,680
April		160,300		160,300	141,660
May		186,500		186,500	121,460
June		138,900	6,000	132,900	119,910
July		96,600		96,600	90,570
August		104,842		104,842	99,700
September		94,380	6,000	88,380	77,530
October		131,000		131,000	85,630
November		158,700		158,700	124,420
December		145,800	6,000	139,800	136,541
Total for Year	-	1,772,922	24,000	1,748,922	1,478,111

If water is purchased for resale, indicate the following:

Vendor _____
 Point of delivery _____

If water is sold to other water utilities for redistribution, list names of such utilities below:

MAINS (FEET)

Kind of Pipe (PVC, Cast Iron, Coated Steel, etc.)	Diameter of Pipe	First of Year	Added	Removed or Abandoned	End of Year
PVC	6"	4,770			4,770