

Ann Cole*OleOleOle*

From: Ann Cole
Sent: Wednesday, April 08, 2009 1:19 PM
To: Bill McNulty
Cc: Cristina Slaton; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley
Subject: RE: From an Aloha customer - SPTimes 4/1/09-Escrow?

Sure thing. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Wednesday, April 08, 2009 9:44 AM
To: Ann Cole
Cc: Cristina Slaton; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley
Subject: FW: From an Aloha customer - SPTimes 4/1/09-Escrow?

Ann,

Please place this in the correspondence side of the docket file for the following dockets:
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty
Chief Advisor to Commissioner Skop
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0855
(850) 413-6028 (office)
(850) 413-6029 (fax)
bmcnulty@psc.state.fl.us

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DOCUMENT NO. 09029-07
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From: Nathan A. Skop
Sent: Wednesday, April 01, 2009 12:22 PM
To: Bill McNulty
Subject: FW: From an Aloha customer - SPTimes 4/1/09-Escrow?

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: wayne forehand [mailto:wayneforehand@verizon.net]
Sent: Wednesday, April 01, 2009 8:30 AM
To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

4/8/2009

Cc: Senator Mike Fasano; Jean Hartman; Governor Crist; John Andrews Chairman BWN; Steve Reilly OPC; Brian Armstrong FGUA

Subject: From an Aloha customer - SPTimes 4/1/09-Escrow?

The following article appears in the St. Petersburg Times, 4/1/09, Pasco Times section, p1.

The Rose Sundstrom Law firm and very greedy Aloha Utilities is still at it. For 14 years customers have been forced to tolerate the abuse of this law firm and private water utility, now they have improperly walked away with the customers PSC ordered refund. The removal of the customers escrow fund was at very unethical action by professional attorneys, and as I see it completely illegal.

We are looking for PSC action to have funds returned to the joint escrow account for proper disposition and strong civil action on the parties involved.

From: Wayne Forehand

Attorney: Aloha Money Move Legal

But one legislator wants the state to investigate the transfer of funds.

By Lisa Buie, Times Staff Writer

In print: Wednesday, April 1, 2009

TRINITY — The lawyer for Aloha Utilities says his clients did nothing improper by putting the \$375,000 in disputed escrow money in a separate account. The former utility merely wants a fair decision about who gets what, he said.

"The point of this is it's obvious to us that this matter is going to be resolved by a judge," said William Sundstrom, the attorney for the now defunct Aloha. "Customers have demanded a solution that is not acceptable to us and we have demanded a solution that is not acceptable to them. At the end of the day, a judge is going to have to resolve this issue. We want to do the right thing here."

4/8/2009

At issue is whether the money belongs to Aloha's shareholders or its 25,000 former customers in the Seven Springs and Trinity area.

The money came from customers who paid temporary rate hikes that ultimately weren't approved. Instead of getting a refund, however, the customers agreed to let Aloha put the money toward system upgrades — but those improvements were scrapped when Aloha sold its water and wastewater systems earlier this year to the Florida Governmental Utility Authority.

The money was being held in an escrow account at a Regions Bank branch in Holiday. The dispute was set to be heard by the Florida Public Service Commission.

Aloha revealed in a lawsuit filed Friday against the PSC that it had been holding the money in a "separate, segregated account" since March 23.

The company filed a motion Tuesday and express mailed it to Pasco County Circuit Court asking for an order to put the money into the court registry until a judge can hear the case.

Officials have questioned how Aloha could move the funds out of the escrow account without the PSC's blessing. Sundstrom said the recent Bank Rescue Act abolished the two-party check rule, which required two signatures for money to be released from joint accounts.

The lawsuit argues that the PSC has no authority to decide the matter

as Aloha ceased being a utility when its assets were sold.

It also says the PSC is a politically appointed body and would be pressured to side with former customers.

The news that Aloha had possession of the money drew outrage from critics, including state Sen. Mike Fasano. He sent letters Tuesday to Florida's Attorney General Bill McCollum and Chief Financial Office Alex Sink asking them to investigate.

"In my opinion an escrow account that is created to hold funds in trust, and was created with two signatories, cannot be emptied without the permission of both parties," the letters said. "I believe that the bank mentioned in the article, Regions Bank of Holiday, may have broken the law. I would appreciate it if you would investigate the actions taken by Regions Bank in this situation."

Fasano, who is also a former Aloha customer, called Sundstrom's explanations "farfetched" and said even if it was legal, bankers should have had the sense to notify a second party if that party is a government agency.

Tim Dayton, a spokesman for the Alabama-based bank, said Tuesday that laws prohibited him from commenting on details of client relationships but that the bank was aware of the situation.

"We're working with the organizations to resolve the issue," he said.

Lisa Buie can be reached at buie@sptimes.com or (813) 909-4604.

Ann Cole

060606

From: Ann Cole
Sent: Friday, March 27, 2009 11:22 AM
To: Bill McNulty
Cc: Jean Hartman; Lorena Holley; Roberta Bass; William C. Garner; Larry Harris; Cristina Slaton
Subject: RE: Latest Aloha Complaints

Thanks, Bill. The six attachments were printed and this information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Thursday, March 26, 2009 4:31 PM
To: Ann Cole
Cc: Jean Hartman; Lorena Holley; Roberta Bass; William C. Garner; Larry Harris; Cristina Slaton
Subject: Latest Aloha Complaints

Ann,

Please place these in the correspondence side of the docket file for the following dockets:
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty
Chief Advisor to Commissioner Skop
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0855
(850) 413-6028 (office)
(850) 413-6029 (fax)
bmcnulty@psc.state.fl.us

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ce the attached correspondence i

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 26, 2009 3:45 PM
To: Bill McNulty
Subject: FW: From a customer of Aloha Utilities

060606

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DOCUMENT NO. 09029-07
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Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: Mary Mahon [mailto:nomor425@tampabay.rr.com]
Sent: Wednesday, March 25, 2009 5:48 PM
To: Nathan A. Skop
Subject: From a customer of Aloha Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Jack & Mary Mahon
1035 Maravista Drive
Trinity, FL 34655

3/27/2009

Ann Cole

060606

From: Nathan A. Skop
 Sent: Thursday, March 26, 2009 3:43 PM
 To: Bill McNulty
 Subject: FW: (no subject)

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Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: Jtomsuden@cs.com [mailto:Jtomsuden@cs.com]
 Sent: Tuesday, March 24, 2009 4:15 PM
 To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
 Cc: Jean Hartman
 Subject: (no subject)

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the **unresponsive and negligent management** of the old Aloha Utilities. However, after the closing of the sale, *I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.** ***This request is totally bizarre and improper.**

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. **The customers have been waiting a long time.**

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less* *agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system.

The customers never agreed that these refund monies

3/27/2009

would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were **completely constructed,** and after the facilities were fully operational. **Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III* *rates, and the Order was final and non-appealable.** I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III.

Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing.

Aloha has now sold out at an extravagant profit to themselves.

I, as a customer, suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, **not be released to the obsessive stockholders of Aloha.**

Yours truly,

John & Barbara Tomsuden
1719 Cortleigh Drive
Trinity, FL 34655

Ann Cole

eleoleop

From: Nathan A. Skop
Sent: Thursday, March 26, 2009 3:43 PM
To: Bill McNulty
Subject: FW: Aloha Escrow Account Refund Request

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: Wayne and Judy Studebaker [mailto:wjstudie@verizon.net]
Sent: Tuesday, March 24, 2009 1:07 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: Aloha Escrow Account Refund Request

To: PSC Commissioners

We are strongly opposed to the Aloha Utilities request to release to them the more than \$350,000 that was placed in escrow to help pay for an anion exchange treatment system. This treatment system, intended to help solve the poor quality of water delivered to customers, was never built. The Florida Government Utility Authority, having paid more than \$90 million for the water and wastewater assets, has more than adequately compensated Aloha Utilities for a system which still needs significant improvements. The escrowed funds should be made available to the Florida Government Utility Authority to reduce the cost to be incurred as they work to improve the quality of water provided to their customers.

Wayne and Judy Studebaker
1940 Winsloe Drive
Trinity, FL 34655-4940

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Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 26, 2009 3:42 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: Kevin Gallagher [mailto:doctorg@tampabay.rr.com]
Sent: Monday, March 23, 2009 6:05 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: From a customer of the former Aloha Utilities

Dear PSC Commissioners,

I agree with the below letter.

Thank you,

Dr. Kevin M. Gallagher

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To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one

3/27/2009

penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

Kevin M. Gallagher D.C.
Palm Harbor Chiropractic &
Wellness Center
550 Alt. 19 North
Palm Harbor, FL. 34683
(727) 789-0800

Ann Cole

060604

From: Nathan A. Skop
Sent: Thursday, March 26, 2009 3:42 PM
To: Bill McNulty
Subject: FW: From an Aloha Utilities customer

Please request the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: wayne forehand [mailto:wayneforehand@verizon.net]
Sent: Tuesday, March 24, 2009 7:50 AM
To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop
Cc: Jean Hartman; Tom Walden; Tom Anderson Representative; Ryder Rudd; Marshall Willis; Bart Fletcher;
 Senator Mike Fasano; Brian Armstrong FGUA; Steve Reilly OPC
Subject: From an Aloha Utilities customer

The following **editorial** appears in the St. Petersburg Times,
 3/24/09, Pasco Times section, p2, Opinion/Times Editorial.

From: Wayne Forehand in Trinity, Florida

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State Should Deny Aloha Bid for Escrow

There is no end to Aloha Utilities' greed and arrogance, even now
 that the water and sewer company is no longer in business.

After closing on a \$90.5 million sale of the utility's assets to the
 Florida Governmental Utility Authority last month, the company's
 shareholders claimed entitlement to more than \$375,000 sitting in
 escrow from a disputed rate increase eight years ago.

It's an absurd money grab, akin to cashing in a winning lottery
 ticket at a convenience store then grabbing pennies from the
 countertop change cup on the way out the door.

The Public Service Commission should ignore this request. Aloha

3/27/2009

already has been compensated handsomely for its inability to solve more than a dozen years of customer complaints about dark, smelly water coming from household taps in Wyndtree, Chelsea Place and other Trinity area locations in southwest Pasco.

The escrowed money stems from \$473,000 paid by customers for a 15 percent temporary rate increase that began November 2001 but later was invalidated by the PSC. Aloha refunded \$142,000, about \$7 per customer, but the balance remained in dispute.

In 2006, Aloha dropped its appeal of the rate case and put the refund into an interest-bearing account to help finance a new treatment system to improve the quality of the water. The sale to Florida Governmental Utility Authority negated that planned improvement, which led Aloha to claim the refund as its own.

We disagree. Twice the PSC has indicated the money should benefit the customers either through a refund or through better water. Neither happened under Aloha's watch. So, the state should order the money be used to offset the customers' costs of underwriting the FGUA purchase of Aloha.

At a PSC hearing five years ago, Sen. Mike Fasano asked Aloha to refund the escrow account to customers as an act of good faith as it supposedly worked toward a solution to customer complaints.

Obviously, that didn't happen. The PSC now has the opportunity to demonstrate to customers it has a better understanding than Aloha of acting in good faith.

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Feeling the pinch at the grocery store? Make dinner for \$10
or less.
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060606

From: Nathan A. Skop
Sent: Thursday, March 26, 2009 3:41 PM
To: Bill McNulty
Subject: FW: Florida Resident - SOLAR ENERGY POLICY - REC system vs Feed-in-Tariff

Attachments: As Florida shifts to solar, a fight looms - HeraldTribune.com -March 23 2009.pdf



As Florida
shifts to solar, a

Please request the clerk to add this to the correspondence side of the RPS docket.

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

From: Hubert Fladung [mailto:hubert.fladung@gmail.com]
Sent: Monday, March 23, 2009 9:39 AM
To: Nathan A. Skop
Cc: FASANO MICHAEL B & Joan; Nancy Argenziano; Lisa Edgar; zac.anderson@heraldtribune.com
Subject: Florida Resident - SOLAR ENERGY POLICY - REC system vs Feed-in-Tariff

Honorable Commissioner Skop,

About a year ago we spoke on the phone about this, and here we go - Florida again goes with the 'big company approach'. Why is it, that it seems that there are always other things going on in the background, that don't seem logical or do they?

The attached article (HeraldTribune.com) sums it up pretty well.

A federally funded research study shows the REC system is less cost effective in the long term, but Florida still goes the other way - why?
'Big money' from big companies prevails.

The last 6-12 month should be proof enough that the so called 'free-market' systems do NOT necessarily work. One big company (AIG) and the banking systems dependency on it's insurance contracts has brought this countries economy to it's knees.

Florida's legislature should make better decisions for our future and rely less on the 'big company approach' but on it's residents and small business owners.

Hubert J Fladung
1214 Trafalgar Dr
New Port Richey, FL 34655
Tel (727) 375-0879

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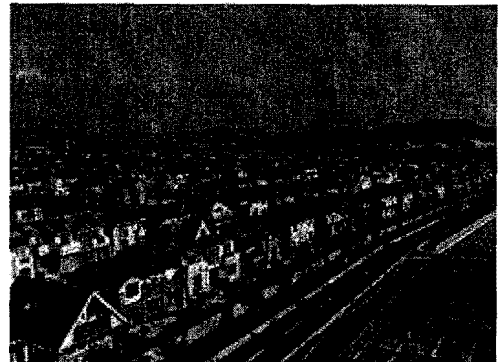
As Florida shifts to solar, a fight looms

By [Zac Anderson](#)

Published: Sunday, March 22, 2009 at 1:00 a.m.

Billions of dollars are at stake in a battle under way in Florida over who profits from the pending expansion of solar energy: Big energy companies or individuals and businesses with extra roof space.

Solar power is poised to hit the big time in Florida with the expected passage next month of a new energy law requiring power companies to generate 20 percent of their electricity from renewable sources, including the sun, by 2020. The mandate should provide a huge boost to Florida's nascent renewable energy industry.



While there are many ways to reach the goal, some business and environmental groups say lawmakers favor a system that would give windfall profits to large energy companies, cost consumers more and generate fewer local jobs and less clean energy.

The system is known as "renewable energy credits," or RECs, which would allow utilities to decide who can sell them solar energy based on a bidding process, resulting primarily in large, centralized solar developments.

Opponents of the REC system say an alternative program, called a "feed-in tariff," encourages more small-scale solar development on homes and businesses by setting a price for solar energy that makes it profitable for anyone with open land or roof space. The system also forces electric utilities to buy energy from everyone.

Few Floridians know much about these obscure energy policies. Incentives for clean energy are just starting to gain momentum in the United States.

Yet the direction Florida takes could profoundly affect the state's energy future and every state resident.

Both policies would initially increase electricity prices because solar energy is more expensive than coal, oil and natural gas -- Florida's main energy sources.

But data compiled by the National Renewable Energy Laboratory, a federal research center, shows that countries with feed-in tariffs have cheaper renewable electricity than those with RECs. The tariff system is less risky, and investors are willing to accept lower profits for long-term stability.

"We deal with data and the evidence is very clear," said Toby Couture, a researcher with the lab. "Feed-in tariffs have consistently proven to be cheaper for consumers. That's the bottom line."

Despite these studies, Florida's top energy regulators have recommended the REC system over feed-in tariffs, and lawmakers have been slow to embrace the feed-in concept, characterized by opponents as too "European" and less free-market.

Florida Power & Light, the state's largest energy provider, criticizes feed-in tariffs as expensive and anti-competitive. So do representatives for large solar companies such as Maryland-based SunEdison, which has begun contracting with utilities to build big solar power plants in Florida.

The deals have stirred intense infighting in the solar industry nationwide as small local businesses are pushed aside by larger corporations.

Dismissing the Renewable Energy Lab's conclusions, FPL's vice president and chief development officer, Eric Silagy, said, "Any time you get into prescriptive government-set rates, you chill innovation."

The REC system has resulted in substantially higher energy profits in places like New Jersey and the United Kingdom and much higher electricity prices for consumers than the more simplified feed-in tariff policy. Feed-ins have been adopted by 46 countries and Gainesville's municipal electric provider.

But energy reform advocates are worried that electric utilities are blocking a fair hearing on feed-in tariffs in Tallahassee this year.

"There are real concerns right now that this idea won't even get a proper discussion," said Jerry Karnas, who monitors energy issues in the Legislature for the group Environmental Defense.

Rep. Paige Kreegel, R-Punta Gorda, who heads the House Energy and Utilities Policy Committee and wants to allow discussion of the feed-in approach along with the REC system, said last week that House leaders have not yet permitted him to file an energy bill and begin hearings.

Kreegel said that legislative leaders are overwhelmed with the state budget crisis. But he acknowledged that there has also been opposition from utilities over his plan to allow a feed-in tariff debate.

"It would be a threat to their core business model," Kreegel said. "Their feeling is, 'Things are good so shut up and leave us alone,' and you can't blame them."

Jerry Paul, a former Florida lawmaker from Charlotte County and a lobbyist for Maryland's SunEdison, said RECs drive down solar prices because they require competitive bidding.

"Government is not very good about picking an artificial price," said Paul, who said he was speaking for himself and not SunEdison. "The marketplace is."

But Couture said there is an obvious reason why big energy companies support the REC system. "The research shows there is the potential to make much higher profits," he said.

Some people say the systems can coexist. Legislators could decide within a few weeks.

When Gov. Charlie Crist took office in 2006 he made it clear he would push for more renewable energy in Florida, which still has no major sources of solar or wind power. In 2007, Crist vetoed the Legislature's energy bill for not sufficiently promoting solar and other renewable sources.

Crist began pushing for a strict quota -- known as a "renewable portfolio standard" -- setting deadlines for power companies to generate or purchase a certain amount of electricity from renewable sources.

One Crist goal was diversifying Florida's economy and developing high-wage "green tech" businesses.

Legislators approved the concept last year and Florida's big electricity companies saw the writing on the wall.

Since then, electric utilities have announced plans for large-scale solar energy projects. But they have largely contracted with big out-of-state companies for their solar energy production fields.

Early last year, FPL signed a deal with one of the largest solar companies in the United States, SunPower Corp., to build two solar power plants.

The company, based in San Jose, Calif., has about 5,000 employees and global revenues of \$1.43 billion, up 85 percent from 2007. The company does not have an office in Florida.

One of SunPower's main rivals, SunEdison, announced deals last year for a solar plant in Lakeland, and other plants that would be spread out across the state for the Florida Municipal Power Agency.

SunEdison bills itself as "North America's largest solar services provider" and has contracts in several states, though no Florida office.

"The genius of these two companies is, they've hired more lobbyists and lawyers than the rest of the industry combined and they were smart enough to realize the money they spent on those people is tiny compared to the billions they can reap," said Lyle Rawlings, president of the New Jersey Solar Energy Industry Association, whose members engaged in a bitter battle over RECs and feed-in tariffs.

SunPower representatives did not return calls last week.

Rawlings says Florida is at a crossroads. A similar battle played out in New Jersey in 2007, with the REC system prevailing.

The same solar companies seeking to prevail in Florida now dominate solar markets in Maryland, Colorado and other places with REC systems. No state has yet adopted a full scale feed-in tariff model, but Hawaii and a few others are on the verge of doing so.

Small-scale solar developers such as Sarasota engineer Raymond Kaiser say big utilities oppose feed-in tariffs because they are less profitable and threaten the utility business model.

"Their bias is towards centralized power generation," Kaiser said. "They feel very comfortable about solar power if you put it in a field somewhere in DeSoto County, but they don't want it on everybody's house."

Solar producers in states that have adopted REC policies say they have seen many small and medium-size businesses fold and fewer overall jobs, in part because of the complexity. Rawlings said New Jersey has lost perhaps three or four dozen companies in the last few years.

In Maryland, SunEdison dominates the solar market, signing a deal with the state's big electric utility to provide 60 percent of all solar energy this year.

In contrast, Germany's feed-in tariff system allows citizens to profitably develop small solar systems on homes, churches, businesses and schools because power companies are required to buy the energy back at a set rate -- calculated to cover expenses with a small profit added in -- that is well above the price for fossil fuel energy.

But REC advocates say that with credits that are traded on a commodities market, the price fluctuates based on supply and demand. If electric companies miss their solar quotas, demand for credits will rise and solar developers will respond to cash in on high prices.

The key, Paul said, is solar developers "have to compete with each other, and the utility selects the proposal with the cheapest price to the ratepayers."

That sounds good in theory, said the Renewable Energy Lab's Couture, but does not reflect reality.

"All the research shows feed-in tariffs have demonstrated a higher degree of cost efficiency than REC trading models," he said. "That's not a controversial conclusion. All the evidence points to that."

This story appeared in print on page 1A

FPSC, CLK - CORRESPONDENCE
 _Administrative Parties Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

Ann Cole

From: Ann Cole
 Sent: Tuesday, March 24, 2009 5:24 PM
 To: Katrina McMurrian
 Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
 Subject: RE: (no subject)

Quade

Thanks Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
 Sent: Tuesday, March 24, 2009 5:05 PM
 To: Ann Cole
 Subject: FW: (no subject)

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

From: Jtomsuden@cs.com [mailto:Jtomsuden@cs.com]
 Sent: Tuesday, March 24, 2009 4:15 PM
 To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
 Cc: Jean Hartman
 Subject: (no subject)

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the **unresponsive and negligent management** of the old Aloha Utilities. However, after the closing of the sale, *I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.**
***This request is totally bizarre and improper.**

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim

3/24/2009

rate increase. **The customers have been waiting a long time.**

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less* *agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system.

The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were **completely constructed**, and after the facilities were fully operational. **Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III* *rates, and the Order was final and non-appealable.** I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III.

Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing.

Aloha has now sold out at an extravagant profit to themselves.

I, as a customer, suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, **not be released to the obsessive stockholders of Aloha.**

Yours truly,

John & Barbara Tomsuden

**1719 Cortleigh Drive
Trinity, FL 34655**

Ann Cole

060606

From: Ann Cole
Sent: Tuesday, March 24, 2009 5:23 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: Aloha Escrow Account Refund Request

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Tuesday, March 24, 2009 5:04 PM
To: Ann Cole
Subject: FW: Aloha Escrow Account Refund Request

Ann, please place this in the file for DN 060606 & 060122. thanks.

Kay

From: Wayne and Judy Studebaker [mailto:wjstudie@verizon.net]
Sent: Tuesday, March 24, 2009 1:07 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: Aloha Escrow Account Refund Request

To: PSC Commissioners

We are strongly opposed to the Aloha Utilities request to release to them the more than \$350,000 that was placed in escrow to help pay for an anion exchange treatment system. This treatment system, intended to help solve the poor quality of water delivered to customers, was never built. The Florida Government Utility Authority, having paid more than \$90 million for the water and wastewater assets, has more than adequately compensated Aloha Utilities for a system which still needs significant improvements. The escrowed funds should be made available to the Florida Government Utility Authority to reduce the cost to be incurred as they work to improve the quality of water provided to their customers.

Wayne and Judy Studebaker
 1940 Winsloe Drive
 Trinity, FL 34655-4940

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

3/24/2009

Ann Cole*Oleolede*

From: Ann Cole
Sent: Tuesday, March 24, 2009 5:23 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: From an Aloha Utilities customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Tuesday, March 24, 2009 5:03 PM
To: Ann Cole
Subject: FW: From an Aloha Utilities customer

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

From: wayne forehand [mailto:wayneforehand@verizon.net]
Sent: Tuesday, March 24, 2009 7:50 AM
To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop
Cc: Jean Hartman; Tom Walden; Tom Anderson Representative; Ryder Rudd; Marshall Willis; Bart Fletcher; Senator Mike Fasano; Brian Armstrong FGUA; Steve Reilly OPC
Subject: From an Aloha Utilities customer

The following **editorial** appears in the St. Petersburg Times,
 3/24/09, Pasco Times section, p2, Opinion/Times Editorial.

From: Wayne Forehand in Trinity, Florida

FPSC, CLK - CORRESPONDENCE
Administrative Parties ~~Consumer~~
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

State Should Deny Aloha Bid for Escrow

There is no end to Aloha Utilities' greed and arrogance, even now
 that the water and sewer company is no longer in business.

After closing on a \$90.5 million sale of the utility's assets to the
 Florida Governmental Utility Authority last month, the company's
 shareholders claimed entitlement to more than \$375,000 sitting in

3/24/2009

escrow from a disputed rate increase eight years ago.

It's an absurd money grab, akin to cashing in a winning lottery ticket at a convenience store then grabbing pennies from the countertop change cup on the way out the door.

The Public Service Commission should ignore this request. Aloha already has been compensated handsomely for its inability to solve more than a dozen years of customer complaints about dark, smelly water coming from household taps in Wyndtree, Chelsea Place and other Trinity area locations in southwest Pasco.

The escrowed money stems from \$473,000 paid by customers for a 15 percent temporary rate increase that began November 2001 but later was invalidated by the PSC. Aloha refunded \$142,000, about \$7 per customer, but the balance remained in dispute.

In 2006, Aloha dropped its appeal of the rate case and put the refund into an interest-bearing account to help finance a new treatment system to improve the quality of the water. The sale to Florida Governmental Utility Authority negated that planned improvement, which led Aloha to claim the refund as its own.

We disagree. Twice the PSC has indicated the money should benefit the customers either through a refund or through better water. Neither happened under Aloha's watch. So, the state should order the money be used to offset the customers' costs of underwriting the FGUA purchase of Aloha.

3/24/2009

At a PSC hearing five years ago, Sen. Mike Fasano asked Aloha to refund the escrow account to customers as an act of good faith as it supposedly worked toward a solution to customer complaints.

Obviously, that didn't happen. The PSC now has the opportunity to demonstrate to customers it has a better understanding than Aloha of acting in good faith.

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Feeling the pinch at the grocery store? Make dinner for \$10 or less.
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060606

From: Ann Cole
Sent: Tuesday, March 24, 2009 5:22 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: From a customer of the former Aloha Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Tuesday, March 24, 2009 5:02 PM
To: Ann Cole
Subject: FW: From a customer of the former Aloha Utilities

Ann, please place this in the file for DN 060606 & 060122. Thank you.

Kay

From: Kevin Gallagher [mailto:doctorg@tampabay.rr.com]
Sent: Monday, March 23, 2009 6:05 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: From a customer of the former Aloha Utilities

Dear PSC Commissioners,

I agree with the below letter.

Thank you,

Dr. Kevin M. Gallagher

FPSC, CLK - CORRESPONDENCE
 Administrative Parties ~~Consumer~~
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every

action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

Kevin M. Gallagher D.C.
Palm Harbor Chiropractic &
Wellness Center
550 Alt. 19 North
Palm Harbor, FL. 34683
(727) 789-0800

Ann Cole

060606

From: Ann Cole
Sent: Monday, March 23, 2009 8:48 AM
To: Bill McNulty
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: From a customer of the former Aloha Utilities in New Port Richey, Florida

Thanks Bill. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Monday, March 23, 2009 8:03 AM
To: Ann Cole
Cc: Jean Hartman; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Cristina Slaton
Subject: FW: From a customer of the former Aloha Utilities in New Port Richey, Florida

Ann,

Please place this in the correspondence side of the docket file for the following dockets:
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty
Chief Advisor to Commissioner Skop
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0855
(850) 413-6028 (office)
(850) 413-6029 (fax)
bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE
Administrative Parties ~~Consumer~~
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

From: Nathan A. Skop
Sent: Friday, March 20, 2009 6:51 PM
To: Bill McNulty
Subject: Fw: From a customer of the former Aloha Utilities in New Port Richey, Florida

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: David Rowan <davidrowan2@gmail.com>
To: Nathan A. Skop
Cc: David Rowan <davidrowan2@gmail.com>

3/23/2009

Sent: Fri Mar 20 17:03:50 2009

Subject: From a customer of the former Aloha Utilities in New Port Richey, Florida

Dear Commissioner Skop:

As you know, Aloha Utilities in New Port Richey was purchased by the Florida Governmental Utility Authority (FGUA). However, the three stockholders of Aloha Utilities have demanded that the Florida Public Service Commission release \$375,000 worth of customers refunds to them—not the customers. This self-serving and erroneous request by Aloha stockholders, and lawyers, for the release of customer funds would be totally wrong. In 2006 Aloha agreed with its customers to use this refund money to build an anion exchange treatment system. This system was never built. We former Aloha customers would like to ask the Florida Public Service Commission to keep the money in escrow to pay for future needed improvements by the FGUA.

The chronology of events are as follows:

--On April 30, 2002 (almost 7 years ago), the Florida Public Service Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and **ordered a refund of the interim rates**. [Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.]

--On May 6, 2003, the **First DCA affirmed the Commission's Final Order** No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase.

--In 2006, a *Settlement Agreement* was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that **the customers were willing to apply the net refund monies to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system**. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the *Settlement Agreement*, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable.

Aloha Utilities did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

I as a former Aloha customer I respectfully suggest that the Florida Public Service Commission rule that customers refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition. **Aloha's greedy and immoral stockholders have no right to the customers**

3/23/2009

money.

Very respectfully,

David W. Rowan, BS, MA, MA

10338 Tecoma Drive

Trinity, Florida 34655

Ann Cole

06060606

From: Ann Cole
Sent: Monday, March 23, 2009 8:18 AM
To: Bill McNulty
Cc: Jean Hartman; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley; Cristina Slaton
Subject: RE: Additional Aqua Complaints

Tracking:	Recipient	Read
	Bill McNulty	
	Jean Hartman	
	Larry Harris	
	Roberta Bass	Read: 3/23/2009 8:29 AM
	William C. Garner	Read: 3/23/2009 8:32 AM
	Lorena Holley	
	Cristina Slaton	

Thank you for this information. The 4 email attachments have been printed and will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Friday, March 20, 2009 5:19 PM
To: Ann Cole
Cc: Jean Hartman; Larry Harris; Roberta Bass; William C. Garner; Lorena Holley; Cristina Slaton
Subject: Additional Aqua Complaints

Ann,

Please place these in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty
 Chief Advisor to Commissioner Skop
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0855
 (850) 413-6028 (office)
 (850) 413-6029 (fax)
 bmcnulty@psc.state.fl.us

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3/23/2009

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 11:59 AM
To: Bill McNulty
Subject: FW: FPL Base Rate Increase

Please request the clerk to add this to the correspondence side of the record for the appropriate FPL dockets.

From: John Hernandez [mailto:johnhern99@gmail.com]
Sent: Wednesday, March 18, 2009 8:34 PM
To: jdorschner@MiamiHerald.com; eve_samples@pbpost.com; Matthew Carter; Nancy Argenziano; Lisa Edgar; Katrina McMurrian; Nathan A. Skop; Mary Bane; Judy Harlow; Bev DeMello; Bob Trapp
Subject: FPL Base Rate Increase

To Whom It May Concern:

The article in the Miami Herald about FPL's base rate increase proposal is ridiculous. We all saw how fast prices went up last summer in our fuel / oil, etc. If FPL wants a 12+% return on investment for their shareholders, their CEO and executives should consider the sale of the \$150 + million corporate jet / helicopter holdings. The 3 jets they have are overboard in the price tags, as well as the mileage range these jets have. There is no need for Lew Hay to be picked up via helicopter / rooftop at headquarters and transported to the \$40 million Falcon that has a range of NY to Tokyo to fly to Orlando. There is no justification for the use of a jet fleet that is used by a mid sized international corporation with offices and execs overseas.

I certainly hope that the Public Service Commission takes this lavish spending, the state of the economy, the press that corporations are getting on use of corporate jets and improper use of funds, and look at this rate proposal seriously. It is time for someone to step in and take control, rather than let FPL dictate.

3/23/2009

Ann Cole

From: Nathan A. Skop
Sent: Friday, March 20, 2009 12:00 AM
To: Bill McNulty
Subject: Fw: Aloha Customer Refund Escrow Account

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: Jim Colegrove <jimcolegrove10@yahoo.com>
To: 'Karen Vaughn-Kerns' <kkerns1@tampabay.rr.com>; 'shirley sturgeon' <sturgeonshirley@verizon.net>; 'Isilverlcs' <Isilverlcs@tampabay.rr.com>; 'Holly' <hlsilver@tampabay.rr.com>; 'Marge Lurz' <margelurz@hotmail.com>; 'George Valdes' <jvaldes4167@yahoo.com>; 'Ron Jackson' <RonJackson@YourTampaBayMove.com>; 'Karen Lane' <klane@pasco.k12.fl.us>; LERains@aol.com <LERains@aol.com>; 'Krissy Vaughn' <krissyvaughn@verizon.net>; 'Jim Colegrove' <jim@jimcolegrove.com>; 'Susan Colegrove' <susancolegrove@yahoo.com>; Franintrinity@aol.com <Franintrinity@aol.com>; 'WAYNE STUDEBAKER' <wjstudie@verizon.net>; 'Gus and Jennifer Hatzistefanou' <gus13letter@tampabay.rr.com>; 'Jesse and Shannon Erickson' <shannonA73@hotmail.com>; 'Harold and Joyce Hatcher' <harjoy10@aol.com>; 'Stacy Romano' <stacyromano@yahoo.com>; 'Mark Romano' <pastormarkromano@yahoo.com>; 'Toni and Paul Remek' <tonic777@msn.com>; 'Vonda Hudson' <dHUDSON11@tampabay.rr.com>; 'Darrell Triggs' <darrellt@iegllc.com>; 'Bryan Vaughn' <bv99@verizon.net>; 'Bob and Bea Steer' <rsteer@tampabay.rr.com>; 'Becky Jackson' <beck98@verizon.net>; 'wilbert vaughn' <whvmv@frontiernet.net>
Cc: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter; Jean Hartman
Sent: Thu Mar 19 21:30:48 2009
Subject: RE: Aloha Customer Refund Escrow Account

Dear PSC Commissioners:

Aloha being able to wrongfully keep escrow monies is equivalent to **AIG Executives** being awarded bonus money for running their company into the ground.

PSC Commissioners allowing this to happen without a fight would be equivalent to **Congress** awarding taxpayer money to mismanaged companies that don't deserve it.

Don't be Congress. Don't support Aloha, a losing cause. Don't ignore this situation thinking it will just go away, we won't.

Respectfully,

Jim Colegrove
1953 Winsloe Drive
Trinity, FL 34655
----- Original Message -----

From: bill.humphrey
To: bill.humphrey@earthlink.net
Sent: Wednesday, March 18, 2009 9:10 PM
Subject: Aloha Customer Refund Escrow Account

For Fox Wood customers of the former ALOHA UTILITIES:

3/23/2009

You may have read in the paper how Aloha Utilities is now trying to get to keep the \$350,000 that was placed in escrow by the PSC and later agreed by all parties to be used to fund improvements in Aloha's system so we would have better water (if you didn't the article is at the end of this message). Those improvements were never completed, but Aloha wants to keep the money.

It is essential that we write to the PSC to protest this latest attempt by Aloha to extort money from their former customers

We know that Commissioner Nancy Argenziano supports our efforts (see her email below), but she only one of five – we need for the others to hear from us loud and clear – we want that escrowed money to go to improving the water treatment facilities as originally agreed.

The email addresses of the commissioners are below. Be sure the subject line of your message says **From a customer of the former Aloha Utilities** since the commissioners can not read mail from utilities.

Bill

Addresses for the PSC commissioners are as follow:

nskop@PSC.state.fl.us
nargenziano@PSC.state.fl.us
Katrina.McMurrian@psc.state.fl.us
ledgar@PSC.state.fl.us
mcarter@PSC.state.fl.us

CC; Attorney JHARTMAN@PSC.STATE.FL.US

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the

3/23/2009

net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

Reply to above letter from Commissioner Argenziano to Wayne Forehand:

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

From: Nancy Argenziano

To: wayneforehand@verizon.net

Sent: Wednesday, March 18, 2009 6:26 PM

Subject: Fw: From a customer of the OLD ALOHA Utilities

I am getting many e mails from aloha customers and I commend them for doing so. I wonder if there is a way that you may help me let them know I am working on the issue and that I believe that money belongs to them. I am having difficulty trying to answer them. I would appreciate any help you can give. \

Thanks.

Nancy

The following is the article from the SPTimes.

Aloha, Pasco customers clash over escrow cash

By Jodie Tillman, Times Staff Writer
In Print: Wednesday, March 18, 2009

3/23/2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

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Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.0.238 / Virus Database: 270.11.18/2009 - Release Date: 03/18/09 07:17:00

Ann Cole

From: Nathan A. Skop
Sent: Friday, March 20, 2009 12:01 AM
To: Bill McNulty
Subject: Fw: from a customer of Aloha utilities

Please ask the clerk to add this to the correspondence side of the appropriate Aloha dockets.

From: JOHN DI PRIMA <johnd151@verizon.net>
To: Nathan A. Skop
Sent: Thu Mar 19 22:32:40 2009
Subject: Fw: from a customer of Aloha utilities

Dear PSC Commissioners,

can you please tell me what your position is in regards to the below letter sent to you from Mr. Wayne Forehand.

Sincerely

John Di Prima

> To: PSC Commissioners

>

> I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities.* *This request is totally bizarre and improper.

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> Wayne Forehand

> 1216 Arlinbrook Drive

> Trinity, FL 34655

> The following is the article from Today's SPTimes.

3/23/2009

Aloha, Pasco customers clash over escrow cash

By Jodie Tillman <mailto:///Users/joelaza/Library/Thunderbird/Profiles/da2jjich.default/Mail/Local%20Folders/Inbox?number=676213940>, Times Staff Writer
In Print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha Utilities and its former customers is ending in a fight over who owns what.

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Ann Cole

From: Nathan A. Skop
Sent: Friday, March 20, 2009 10:50 AM
To: Bill McNulty
Subject: Fw: FROM A CUSTOMER OF THE FORMER ALOHA UTILITIES

Please ask the clerk to add this to the correspondence side of the appropriate Aloha docket.

From: aloharmb@aol.com <aloharmb@aol.com>
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: JHARTMEN@pPSC.STATE.FL.US <JHARTMEN@pPSC.STATE.FL.US>
Sent: Fri Mar 20 10:42:07 2009
Subject: FROM A CUSTOMER OF THE FORMER ALOHA UTILITIES

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

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3/23/2009

Joseph & RoseMarie Beraducci
10110 Green Ivy Drive
Trinity, FL 34655

Live traffic, local info, maps, directions and more with the NEW MapQuest Toolbar. [Get it now!](#)

Ann Cole

060606

From: Ann Cole
Sent: Friday, March 20, 2009 8:22 AM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: Aloha Customer Refund Escrow Account

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Friday, March 20, 2009 8:20 AM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: Aloha Customer Refund Escrow Account

Ann, please place in the file for DN 060606 & 060122. Thank you.

From: Jim Colegrove [mailto:jimcolegrove10@yahoo.com]
Sent: Thursday, March 19, 2009 9:31 PM
To: 'Karen Vaughn-Kerns'; 'shirley sturgeon'; 'Isilverlcsw'; 'Holly'; 'Marge Lurz'; 'George Valdes'; 'Ron Jackson'; 'Karen Lane'; LERains@aol.com; 'Krissy Vaughn'; 'Jim Colegrove'; 'Susan Colegrove'; Franintrinity@aol.com; 'WAYNE STUDEBAKER'; 'Gus and Jennifer Hatzistefanou'; 'Jesse and Shannon Erickson'; 'Harold and Joyce Hatcher'; 'Stacy Romano'; 'Mark Romano'; 'Toni and Paul Remek'; 'Vonda Hudson'; 'Darrell Triggs'; 'Bryan Vaughn'; 'Bob and Bea Steer'; 'Becky Jackson'; 'wilbert vaughn'
Cc: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter; Jean Hartman
Subject: RE: Aloha Customer Refund Escrow Account

Dear PSC Commissioners:

Aloha being able to wrongfully keep escrow monies is equivalent to **AIG Executives** being awarded bonus money for running their company into the ground.

PSC Commissioners allowing this to happen without a fight would be equivalent to **Congress** awarding taxpayer money to mismanaged companies that don't deserve it.

Don't be Congress. Don't support Aloha, a losing cause. Don't ignore this situation thinking it will just go away, we won't.

Respectfully,

Jim Colegrove
 1953 Winsloe Drive
 Trinity, FL 34655

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

From: bill.humphrey
To: bill.humphrey@earthlink.net
Sent: Wednesday, March 18, 2009 9:10 PM

FPSC, CLK - CORRESPONDENCE
 _Administrative Parties & Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

3/20/2009

Subject: Aloha Customer Refund Escrow Account

For Fox Wood customers of the former ALOHA UTILITIES:

You may have read in the paper how Aloha Utilities is now trying to get to keep the \$350,000 that was placed in escrow by the PSC and later agreed by all parties to be used to fund improvements in Aloha's system so we would have better water (if you didn't the article is at the end of this message). Those improvements were never completed, but Aloha wants to keep the money.

It is essential that we write to the PSC to protest this latest attempt by Aloha to extort money from their former customers

We know that Commissioner Nancy Argenziano supports our efforts (see her email below), but she only one of five – we need for the others to hear from us loud and clear – we want that escrowed money to go to improving the water treatment facilities as originally agreed.

The email addresses of the commissioners are below. Be sure the subject line of your message says **From a customer of the former Aloha Utilities** since the commissioners can not read mail from utilities.

Bill

Addresses for the PSC commissioners are as follow:

nskop@PSC.state.fl.us
nargenziano@PSC.state.fl.us
Katrina.McMurrian@psc.state.fl.us
ledgar@PSC.state.fl.us
mcarter@PSC.state.fl.us

CC; Attorney JHARTMAN@PSC.STATE.FL.US

To: PSC Commissioners

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3/20/2009

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Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

Reply to above letter from Commissioner Argenziano to Wayne Forehand:

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

From: Nancy Argenziano

To: wayneforehand@verizon.net

Sent: Wednesday, March 18, 2009 6:26 PM

Subject: Fw: From a customer of the OLD ALOHA Utilities

I am getting many e mails from aloha customers and I commend them for doing so. I wonder if there is a way that you may help me let them know I am working on the issue and that I believe that money belongs to them. I am having difficulty trying to answer them. I would appreciate any help you can give. \

Thanks.

Nancy

The following is the article from the SPTimes.

Aloha, Pasco customers clash over escrow cash

3/20/2009

By Jodie Tillman, Times Staff Writer
In Print: Wednesday, March 18, 2009

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Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

No virus found in this incoming message.

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Version: 8.0.238 / Virus Database: 270.11.18/2009 - Release Date: 03/18/09 07:17:00

Ann Cole

060606

From: Ann Cole
Sent: Friday, March 20, 2009 8:21 AM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: from a customer of Aloha utilities

Tracking: **Recipient** **Read**
Katrina McMurrian
Administrative Assistants - Commission Suite
Commissioners Advisors
Roberta Bass Read: 3/20/2009 8:21 AM

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Friday, March 20, 2009 8:18 AM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: from a customer of Aloha utilities

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From: JOHN DI PRIMA [mailto:johnd151@verizon.net]
Sent: Thursday, March 19, 2009 10:55 PM
To: Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: Fw: from a customer of Aloha utilities

FPSC, CLK - CORRESPONDENCE
Administrative Parties ~~X~~ Consumer
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

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3/20/2009

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Ann Cole

060606

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Sent: Friday, March 20, 2009 8:16 AM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: A customer of Aloha utilities: Aloha request for escrow money

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 4:59 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: A customer of Aloha utilities: Aloha request for escrow money

Ann, please place in the file for DNs 060606-WS & 060122-WU. thank you.

From: HOWARD LEDDER [mailto:howlaine210@msn.com]
Sent: Wednesday, March 18, 2009 11:59 AM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: wayneforehand@verizon.net
Subject: A customer of Aloha utilities: Aloha request for escrow money

Dear PSC members:

Aloha has supplied absolutely horrible water water to Trinity customers for 14 years. We may still have thousands of dollars in expenses if we develop leaks caused by their water. After all this heartache, insult & inconvenience (I'd LOVE to be able to use my jacuzzi to help my arthritis!!) **now** they want the escrow money on top of the millions they just got for treating their customers like dirt for the last 14 years? If this is allowed it will be just one more terrible injustice to the customers. PLEASE do NOT allow this to occur.

Respectfully,
Howard & Elaine Ledder
1202 Arlinbrook Dr.
Trinity Oaks

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Administrative Parties Consumer
DOCUMENT NO. 09029-07
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Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:25 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: From a customer of the former Aloha Utilities

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:56 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: From a customer of the former Aloha Utilities
Please place in file for DN 060606 & 060122. Thank you.

From: bill.humphrey [mailto:bill.humphrey@earthlink.net]
Sent: Wednesday, March 18, 2009 12:44 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey
2120 Larchwood Court
Trinity, FL 34655

727-808-4483

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DISTRIBUTION: _____

3/19/2009

FPSC, CLK - CORRESPONDENCE

Administrative Parties ConsumerDOCUMENT NO. 09029-07

DISTRIBUTION:

o6 o6 o6**Ann Cole**

From: Ann Cole
Sent: Thursday, March 19, 2009 3:51 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: from a customer of Aloha Utilitie

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:35 PM
To: Ann Cole
Subject: FW: from a customer of Aloha Utilitie

Ann, please place this in the file for DNs 060606-WS & 060122-WU. Thank you

From: John Simmons [mailto:js-ss@hotmail.com]
Sent: Thursday, March 19, 2009 1:02 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: from a customer of Aloha Utilitie

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order NO. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund. The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

John Simmons
 8144 Brumby Ct

3/19/2009

Trinity, FL 34655

Windows Live™ Contacts: Organize your contact list. [Check it out.](#)

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:00 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: From a customer of the former Aloha Utilities

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:39 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: From a customer of the former Aloha Utilities

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Administrative Parties ~~Consumer~~
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Ann,

Please place in file for DNs 060606-WS & 060122-WU. thanks.

From: CARLEEN NARY [mailto:MsTabasco@verizon.net]
Sent: Thursday, March 19, 2009 9:13 AM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: From a customer of the former Aloha Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the

3/19/2009

facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Carleen Nary
1906 Terralyn Ln
Trinity, FL 34655

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

3/19/2009

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:01 PM
To: Katrina McMurrian
Cc: Commissioners Advisors; Administrative Assistants - Commission Suite
Subject: RE: from a customer of Aloha utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:40 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: from a customer of Aloha utilities

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for DNs 060606 & 060122

From: Joe Abelleira [mailto:abelleira@msn.com]
Sent: Thursday, March 19, 2009 9:12 AM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: from a customer of Aloha utilities

To: PSC Commissioners

>

> I am writing to say that as a customer, I am delighted to finally be
> relieved of the unresponsive and negligent management of the Old Aloha
> Utilities. However, after the closing of the sale, I'm appalled to
> read that Aloha has requested and demanded that the Public Service
> Commission agree, "forthwith, to execute and transmit such
> documentation as is necessary and required to release" the customers'
> refund currently maintained in Account No. 3720776209 at AmSouth Bank
> to the old stockholders of Aloha Utilities.* *This request is totally
> bizarre and improper.
> These funds are the customers' funds awarded as a refund of
> overpayment. On April 30, 2002 (7 years ago), the Commission issued
> Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate
> increase and ordered a refund of the interim rates. Of course Aloha
> appealed the Final Order as they did almost every action by the PSC
> over the past 10 years.
> On May 6, 2003, the First DCA affirmed the Commission's Final Order
> No. PSC-02-0593-FOF-WU, including the Commission's requirement of a
> complete refund of the interim rate increase. The customers have been
> waiting a long time.
> In 2006, a Settlement Agreement was implemented under the direction
> of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of
> this Settlement agreed that the customers were willing to apply the
> net refund monies (unpaid refunds plus interest less* *agreed \$45,000)
> to pay for the permanent and effective solution to the long-standing

3/19/2009

> black water problems in the Aloha Utilities system. The customers
> never agreed that these refund monies would ever be given to the
> shareholders of Aloha. Quite to the contrary, they would only be
> considered contributions-in-aid-of-construction (CIAC) of the
> facilities built to solve the black water problems, and would only be
> applied as CIAC if and when the facilities were completely
> constructed, and after the facilities were fully operational. Pursuant
> to the expressed terms of the Settlement Agreement, not one penny of
> the customers' refund monies was to be applied as CIAC until the
> Commission issued its Final Order establishing Phase III* *rates, and
> the Order was final and non-appealable. I remind the PSC staff and
> Commissioners that Aloha never even had approval of a full Phase I
> increase, much less the required Phase II or Phase III. Aloha did not
> install the promised improvements to resolve the "Black Water"
> problems. This escrow remains the customers' refund.
> The intent of the Settlement Agreement was based on the good faith of
> the implementation of the improvements within a two-year time period
> as promised to the customers at signing. Aloha has now sold at an
> extravagant profit. I as a customer suggest that the customers' refund
> held in escrow be released to a "rate stabilization escrow fund" to
> cover future rate increases required to improve the black water
> condition, not to be released to the obsessive stockholders.

Sincerely,

Joe Abelleira
7532 Cheltnam Ct.
New Port Richey, FL 34655

3/19/2009

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:01 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: Aloha Customer Refund Escrow Account

This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:43 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: Aloha Customer Refund Escrow Account

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 DISTRIBUTION: _____

Please place in file for DN 060606 & 060122. Thank you.

From: Steven Beisner [mailto:SBeisner@medquist.com]
Sent: Thursday, March 19, 2009 7:48 AM
To: Katrina McMurrian
Subject: Aloha Customer Refund Escrow Account

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water

3/19/2009

problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Steve Beisner

2043 Larchwood Ct
Trinity Fl 34655

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If you are not the intended recipient of this e-mail, promptly delete it and all attachments.

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:03 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: from a customer of former Utilities company Aloha

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

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

From: Kay Posey On Behalf Of Katrina McMurrian
Sent: Thursday, March 19, 2009 3:44 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: from a customer of former Utilities company Aloha

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Ann, please place in file for DN 060606 & 060122. Thank you.

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

From: Joe Lanza [<mailto:jlanza@westnet.com>]
Sent: Thursday, March 19, 2009 6:29 AM
To: nskop@PSCstate.fl.us; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; mcarter; Jean Hartman
Cc: wayne forehand; Armstrong, Brian; FASANO; tSchrader@pascocountyfl.net; pmulieri@pascocountyfl.net; mCox@pascocountyfl.net; Jmariano@pascocountyfl.net; Hilderbrandt; Jmariano@pascocountyfl.net; pmulieri@pascocountyfl.net; tSchrader@pascocountyfl.net; mCox@pascocountyfl.net
Subject: from a customer of former Utilities company Aloha

Dear PSC Commissioners,

Please reject the request by the law firm Rose, Sundstrom & Bentley, LLP, dated March 13, 2009, addressed to Patrick L Imhof, General Counsel of the PSC and written by Mr. William Sunstrom for release of escrowed monies to the former private utility Aloha.

I am a former customer of this utility who believes that the documentation in possession of the PSC and the facts per se provide sufficient reason for the rejection of this request. The cronies and insiders who controlled Aloha are not entitled to these monies.

I appreciate the efforts that members of the PSC have made to facilitate the sale of Aloha to the Florida Government Utility Authority. This new authority has an awesome task cleaning up the mess left by Aloha. I would favor remitting the monies in Acc. No. 3720776209 at AMSouth Bank to FGUA Pasco Utilities for use to provide better water which was the original purpose of the funds.

Sincerely,

Catherine F. Lanza
 Joseph L. Lanza
 7450 Evesborough Lane,
 New Port Richey, Florida 34655
 727 375 7129

3/19/2009

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:03 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: From a customer of the former Aloha Utilities

This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:51 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: From a customer of the former Aloha Utilities
Please place in the file for DNs 060606 & 060122. thank you.

From: Andrea Nazzaro [mailto:babygirlnazz@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 10:25 PM
To: Katrina McMurrian
Subject: From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro
1751 Winsloe Dr.
Trinity, FL 34655
babygirlnazz@tampabay.rr.com

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Administrative Parties ~~Consumer~~
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3/19/2009

Ann Cole

060604

From: Ann Cole
Sent: Thursday, March 19, 2009 4:04 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: From a customer of the former Aloha Utilities

Thank you. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:52 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: From a customer of the former Aloha Utilities

For DNs 060606 & 060122.

From: rowe [mailto:microvent7@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 9:33 PM
To: Katrina McMurrian
Subject: From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?

Sincerely,
 Former Aloha customer, thank goodness!

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 Administrative Parties ~~Consumer~~
 DOCUMENT NO. 09029-07
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3/19/2009

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 4:04 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: Aloha Customer Refund Escrow Account

Thanks, Kay. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:53 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: Aloha Customer Refund Escrow Account

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 _Administrative Parties X Consumer
 DOCUMENT NO. 09029-07
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For DNs 060060 & 060122

From: MidgenBill [mailto:wscudero@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 9:25 PM
To: Jean Hartman
Cc: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

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3/19/2009

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Margaret Scudero
1430 Jutland Drive
Trinity, FL 34655

cc: nskop@PSC.state.fl.us; nargenziano@PSC.state.fl.us; Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us

3/19/2009

Ann Cole*Ole Ole Ole*

From: Ann Cole
Sent: Thursday, March 19, 2009 4:05 PM
To: Katrina McMurrian
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: RE: From An Aloha Customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Kay Posey **On Behalf Of** Katrina McMurrian
Sent: Thursday, March 19, 2009 3:55 PM
To: Ann Cole
Cc: Administrative Assistants - Commission Suite; Commissioners Advisors
Subject: FW: From An Aloha Customer

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Please place in file for DN 060606 & 060122. Thank you.

From: Gary Franck [mailto:g.franck@verizon.net]
Sent: Wednesday, March 18, 2009 3:13 PM
To: Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop
Cc: Jean Hartman
Subject: From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

You folks know the details of the agreement to place customer funds in escrow better than I. However, I do know these funds belong to the customers of Aloha. They should either be refunded to us or continue to be held in escrow to offset some of the anticipated rate increases that are the result of making system improvements that should have been made years ago.

Thank you kindly for your consideration in addressing this "outrage".

Respectfully submitted.

Gary Franck
 1118 Hominy Hill Dr
 Trinity, Fl.

3/19/2009

Ann Cole

060606

From: Ann Cole
Sent: Thursday, March 19, 2009 3:38 PM
To: Bill McNulty
Cc: Jean Hartman; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Cristina Slaton
Subject: RE: Aloha Correspondence

Thank you for this information. The 11 email attachments have been printed and will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Thursday, March 19, 2009 2:12 PM
To: Ann Cole
Cc: Jean Hartman; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Cristina Slaton
Subject: Aloha Correspondence

Ann,

Please place these in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

Bill McNulty
 Chief Advisor to Commissioner Skop
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0855
 (850) 413-6028 (office)
 (850) 413-6029 (fax)
 bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE
 ___Administrative___ Parties Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:00 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

From: rowe [mailto:microvent7@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 9:33 PM
To: Nathan A. Skop
Subject: From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?

Sincerely,
Former Aloha customer, thank goodness!

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 11:56 AM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

From: bill.humphrey [mailto:bill.humphrey@earthlink.net]
Sent: Wednesday, March 18, 2009 12:44 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey
2120 Larchwood Court
Trinity, FL 34655

727-808-4483

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 11:57 AM
To: Bill McNulty
Subject: FW: From An Aloha Customer

From: Gary Franck [mailto:g.franck@verizon.net]
Sent: Wednesday, March 18, 2009 3:13 PM
To: Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop
Cc: Jean Hartman
Subject: From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

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Thank you kindly for your consideration in addressing this "outrage".

Respectfully submitted.

Gary Franck
1118 Hominy Hill Dr
Trinity, FL.

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 11:57 AM
To: Bill McNulty
Subject: FW: Aloha Customer Refund Escrow Account

From: MidgenBill [mailto:wscudero@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 7:18 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrin; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase, and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers, of then Aloha, have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Margaret Scudero
 1430 Jutland Drive
 Trinity, FL 34655

cc: JHARTMAN@PSC.STATE.FL.US

Aloha Customer Refund Escrow Account Letter to PSC Commissioners

3/19/2009

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:00 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

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Sent: Wednesday, March 18, 2009 9:33 PM
To: Nathan A. Skop
Subject: From a customer of the former Aloha Utilities

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Sincerely,
Former Aloha customer, thank goodness!

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:00 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

From: Andrea Nazzaro [mailto:babygirlnazz@tampabay.rr.com]
Sent: Wednesday, March 18, 2009 10:24 PM
To: Nathan A. Skop
Subject: From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro
1751 Winsloe Dr.
Trinity, FL 34655
babygirlnazz@tampabay.rr.com

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:00 PM
To: Bill McNulty
Subject: FW: Aloha Escrow Account

From: Ravensmom4@aol.com [mailto:Ravensmom4@aol.com]
Sent: Wednesday, March 18, 2009 10:31 PM
To: Nathan A. Skop
Subject: Re: Aloha Escrow Account

I am a former Aloha customer and I want to protest Aloha's refusal to release the escrow monies that was set aside to improve the water. This is our money and should be released to clean up the problems we have with our water.

Patricia Cusumano
1746 Citron Ct
Trinity, Fl 34655

Feeling the pinch at the grocery store? [Make dinner for \\$10 or less.](#)

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:00 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

From: Steven Beisner [mailto:SBeisner@medquist.com]
Sent: Thursday, March 19, 2009 7:46 AM
To: Nathan A. Skop
Subject: From a customer of the former Aloha Utilities

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years. On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers' refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers'

refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Steve Beisner

Project Manager
Customer Support Services

5430 Metric Place
Suite 200

Norcross, GA 30092

Phone: 678.826.5692

Fax: 856.879.6704

Cell: 727.992.1713

sbeisner@medquist.com

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Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:01 PM
To: Bill McNulty
Subject: FW: from a customer of Aloha utilities

From: Joe Abelleira [mailto:abelleira@msn.com]
Sent: Thursday, March 19, 2009 9:12 AM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: from a customer of Aloha utilities

To: PSC Commissioners

>
 > I am writing to say that as a customer, I am delighted to finally be
 > relieved of the unresponsive and negligent management of the Old Aloha
 > Utilities. However, after the closing of the sale, I'm appalled to
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 > overpayment. On April 30, 2002 (7 years ago), the Commission issued
 > Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate
 > increase and ordered a refund of the interim rates. Of course Aloha
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 > to pay for the permanent and effective solution to the long-standing
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 > the Order was final and non-appealable. I remind the PSC staff and
 > Commissioners that Aloha never even had approval of a full Phase I
 > increase, much less the required Phase II or Phase III. Aloha did not

3/19/2009

- > install the promised improvements to resolve the "Black Water"
- > problems. This escrow remains the customers' refund.
- > The intent of the Settlement Agreement was based on the good faith of
- > the implementation of the improvements within a two-year time period
- > as promised to the customers at signing. Aloha has now sold at an
- > extravagant profit. I as a customer suggest that the customers' refund
- > held in escrow be released to a "rate stabilization escrow fund" to
- > cover future rate increases required to improve the black water
- > condition, not to be released to the obsessive stockholders.

Sincerely,

Joe Abelleira
7532 Cheltnam Ct.
New Port Richey, FL 34655

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 12:01 PM
To: Bill McNulty
Subject: FW: From a customer of the former Aloha Utilities

From: CARLEEN NARY [mailto:MsTabasco@verizon.net]
Sent: Thursday, March 19, 2009 9:13 AM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: From a customer of the former Aloha Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally bizarre and improper.

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3/19/2009

Carleen Nary
1906 Terralyn Ln
Trinity, FL 34655

No virus found in this incoming message.

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Version: 8.0.238 / Virus Database: 270.11.15/2004 - Release Date: 03/18/09 07:17:00

3/19/2009

Ann Cole

From: Nathan A. Skop
Sent: Thursday, March 19, 2009 1:25 PM
To: Bill McNulty
Subject: FW: from a customer of Aloha Utilitie

From: John Simmons [mailto:js-ss@hotmail.com]
Sent: Thursday, March 19, 2009 1:02 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Subject: from a customer of Aloha Utilitie

To: PSC Commissioners

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John Simmons
8144 Brumby Ct
Trinity, FL 34655

Windows Live™ Contacts: Organize your contact list. [Check it out.](#)

3/19/2009

Katie Ely

060606

From: Ellen Plendl
Sent: Thursday, March 19, 2009 9:24 AM
To: Katie Ely
Cc: Dorothy Menasco; Ann Cole
Subject: emails

Attachments: FW: From a customer of the former Aloha Utilities; FW: From a customer of the former Aloha Utilities; FW: Aloha Customer Refund Escrow Account; RE: From a customer of the former Aloha Utilities; RE: From a customer of the former Aloha Utilities; RE: Aloha Customer Refund Escrow Account



FW: From a customer of the former Aloha Utilities; FW: From a customer of the former Aloha Utilities; FW: Aloha Customer Refund Escrow Account; RE: From a customer of the former Aloha Utilities; RE: From a customer of the former Aloha Utilities; RE: Aloha Customer Refund Escrow Account

Dockets 010503-WU, 060606-WS,

060122-WU, 090120-WS.

Emails received and responses sent.

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 09029-07

DISTRIBUTION: _____

Katie Ely

From: Lois Graham
Sent: Thursday, March 19, 2009 8:11 AM
To: Ellen Plendl
Subject: FW: From a customer of the former Aloha Utilities

From: Matthew Carter
Sent: Thursday, March 19, 2009 7:36 AM
To: William C. Garner; Lois Graham
Subject: Fw: From a customer of the former Aloha Utilities

From: rowe <microvent7@tampabay.rr.com>
To: Matthew Carter
Sent: Wed Mar 18 21:33:09 2009
Subject: From a customer of the former Aloha Utilities

It is ridiculous that Aloha is trying to keep that money for it's shareholders!!! Here we go again...Helping Wall Street and Screwing Main Street! That money either needs to be returned or be put in a different escrow account for future rate increases. Aloha has some nerve...collecting money, never using it for the intended purpose, and then trying to keep it!? Are they serious?

Sincerely,
Former Aloha customer, thank goodness!

Katie Ely

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Sent: Thursday, March 19, 2009 8:12 AM
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Subject: FW: From a customer of the former Aloha Utilities

From: Matthew Carter
Sent: Thursday, March 19, 2009 7:36 AM
To: Lois Graham
Subject: Fw: From a customer of the former Aloha Utilities

From: Andrea Nazzaro <babygirlnazz@tampabay.rr.com>
To: Matthew Carter
Sent: Wed Mar 18 22:25:29 2009
Subject: From a customer of the former Aloha Utilities

As a former Aloha Utilities customer, I want the escrowed money (\$350,000) to go to improving the water treatment facilities as originally agreed upon.

Thank you in advance.

Andrea Nazzaro
1751 Winsloe Dr.
Trinity, FL 34655
babygirlnazz@tampabay.rr.com

3/19/2009

Katie Ely

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Sent: Thursday, March 19, 2009 7:37 AM
To: William C. Garner; Lois Graham
Subject: Fw: Aloha Customer Refund Escrow Account

From: MidgenBill <wscudero@tampabay.rr.com>
To: Jean Hartman
Cc: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Sent: Wed Mar 18 21:24:41 2009
Subject: Aloha Customer Refund Escrow Account

To: PSC Commissioners;

I am writing to say that as a customer, I am delighted to finally not have to try to work with the unresponsive and negligent management of the Old Aloha Utilities. However, after the closing of the sale, I'm appalled to read that Aloha has requested, and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers' refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stockholders of Aloha Utilities. This request is totally improper.

These funds are the customers' funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago), the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase, and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers, of then Aloha, have been waiting a long time. In 2006, a Settlement Agreement was implemented under the direction of, and facilitated by, the PSC General Counsel. Paragraph 3 (d) of this Settlement agreed that the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha Utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers' refund monies was to be applied as CIAC until the Commission issued its Final Order establishing Phase III rates, and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. **This escrow remains the customers' refund.**

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements within a two-year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers' refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the black water condition, not to be released to the obsessive stockholders.

Margaret Scudero
 1430 Jutland Drive
 Trinity, FL 34655

cc: nskop@PSC.state.fl.us; nargenziano@PSC.state.fl.us; Katrina.McMurrian@psc.state.fl.us; ledgar@PSC.state.fl.us; mcarter@PSC.state.fl.us

3/19/2009

Katie Ely

From: Ellen Plendl
Sent: Thursday, March 19, 2009 9:08 AM
To: 'microvent7@tampabay.rr.com'
Subject: RE: From a customer of the former Aloha Utilities

microvent7@tampabay.rr.com

Dear Sir/Madam:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl
Regulatory Specialist
Florida Public Service Commission
Division of Service, Safety, & Consumer Assistance
1-800-342-3552 (phone)
1-800-511-0809 (fax)

Katie Ely

From: Ellen Plendl
Sent: Thursday, March 19, 2009 9:08 AM
To: 'babygirlnazz@tampabay.rr.com'
Subject: RE: From a customer of the former Aloha Utilities

Ms. Andrea Nazzaro
babygirlnazz@tampabay.rr.com

Dear Ms. Nazzaro:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

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Sincerely,

Ellen Plendl
Regulatory Specialist
Florida Public Service Commission
Division of Service, Safety, & Consumer Assistance
1-800-342-3552 (phone)
1-800-511-0809 (fax)

Katie Ely

From: Ellen Plendl
Sent: Thursday, March 19, 2009 9:09 AM
To: 'wscudero@tampabay.rr.com'
Subject: RE: Aloha Customer Refund Escrow Account

Ms. Margaret Scudero
wscudero@tampabay.rr.com

Dear Ms. Scudero:

This is in response to your letter to Chairman Matthew M. Carter II, Florida Public Service Commission, regarding Aloha Utilities (Aloha). Given the nature of your concerns, Chairman Carter feels it would be appropriate for specialized staff of the Division of Service, Safety and Consumer Assistance to respond directly to you.

You expressed a concern about the disposition of Aloha's escrow account. We appreciate your comments regarding this matter and will add your correspondence to Docket Nos. 010503-WU, 060606-WS, 060122-WU, 090120-WS.

If you have any questions or concerns please contact me at 1-800-342-3552 or by fax at 1-800-511-0809.

Sincerely,

Ellen Plendl
Regulatory Specialist
Florida Public Service Commission
Division of Service, Safety, & Consumer Assistance
1-800-342-3552 (phone)
1-800-511-0809 (fax)

Ann Cole

oleoleole

From: Ann Cole
Sent: Wednesday, March 18, 2009 4:29 PM
To: Bill McNulty
Cc: Cristina Slaton; Larry Harris; William C. Garner; Roberta Bass; Lorena Holley; Jean Hartman
Subject: RE: A customer of Aloha utilities: Aloha request for escrow money

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Wednesday, March 18, 2009 3:41 PM
To: Ann Cole
Cc: Cristina Slaton; Larry Harris; William C. Garner; Roberta Bass; Lorena Holley; Jean Hartman
Subject: FW: A customer of Aloha utilities: Aloha request for escrow money

Ann,
 Please place this in the correspondence side of the docket file for the following dockets:
 Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.
 Thank You,
 Bill

Bill McNulty
 Chief Advisor to Commissioner Skop
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0855
 (850) 413-6028 (office)
 (850) 413-6029 (fax)
 bmcnulty@psc.state.fl.us

FPSC, CLK - CORRESPONDENCE
Administrative Parties ~~X~~ Consumer
 DOCUMENT NO. 09629-07
 DISTRIBUTION: _____

From: HOWARD LEDDER <howlaine210@msn.com>
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: wayneforehand@verizon.net <wayneforehand@verizon.net>
Sent: Wed Mar 18 11:58:43 2009
Subject: A customer of Aloha utilities: Aloha request for escrow money
 Dear PSC members:

Aloha has supplied absolutely horrible water water to Trinity customers for 14 years. We may still have thousands of dollars in expenses if we develop leaks caused by their water. After all this heartache, insult & inconvenience (I'd LOVE to be able to use my jacuzzi to help my arthritis!!) **now** they want the escrow money on top of the millions they just got for treating their customers like dirt for the last 14 years? If this is allowed it will be just one more terrible injustice to the customers. PLEASE do NOT allow this to occur.

Respectfully,
 Howard & Elaine Ledder
 1202 Arlinbrook Dr.
 Trinity Oaks

3/18/2009

Ann Cole

060606

From: Ann Cole
Sent: Wednesday, March 18, 2009 4:28 PM
To: Bill McNulty
Cc: Cristina Slaton; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Jean Hartman
Subject: RE: From An Aloha Customer

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Wednesday, March 18, 2009 3:40 PM
To: Ann Cole
Cc: Cristina Slaton; Larry Harris; Lorena Holley; Roberta Bass; William C. Garner; Jean Hartman
Subject: FW: From An Aloha Customer

Ann,

Please place this in the correspondence side of the docket file for the following dockets:
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

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 _Administrative Parties X Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

From: Gary Franck [mailto:g.franck@verizon.net]
Sent: Wednesday, March 18, 2009 3:13 PM
To: Matthew Carter; Lisa Edgar; Katrina McMurrian; Nancy Argenziano; Nathan A. Skop
Cc: Jean Hartman
Subject: From An Aloha Customer

Where is the outrage?

I read in this morning's St Pete Times, the PSC has received a request from the former owners of Aloha Water to liquidate an escrow account in their favor.. It is beyond my belief that this request is not rejected out of hand as some kind of bad joke. Well, the joke has been on us as residents of Trinity for the past 12 years. We have had to put up with a company that cared only to line their pockets with our cash and not give a hoot about the quality of their product or customer service. Now they want money drawn from an escrow account that belongs to us and was set up to assure they completed a project as demanded by your organization. Although it shouldn't surprise you (it surely doesn't me), now that the sale has been completed and the former owners did not perform as required, I must ask; why would they be entitled to these funds?

You folks know the details of the agreement to place customer funds in escrow better than I. However, I do know these funds belong to the customers of Aloha. They should either be refunded to us or continue to be held in escrow to offset some of the anticipated rate increases that are the result of making system improvements that should have been made years ago.

Thank you kindly for your consideration in addressing this "outrage".

3/18/2009

Respectfully submitted.

Gary Franck
1118 Hominy Hill Dr
Trinity, Fl.

3/18/2009

Ann Cole

060606

From: Ann Cole
Sent: Wednesday, March 18, 2009 3:55 PM
To: Bill McNulty
Cc: Cristina Slaton; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Jean Hartman
Subject: RE: From a customer of the former Aloha Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Bill McNulty
Sent: Wednesday, March 18, 2009 3:16 PM
To: Ann Cole
Cc: Cristina Slaton; Larry Harris; Roberta Bass; Lorena Holley; William C. Garner; Jean Hartman
Subject: FW: From a customer of the former Aloha Utilities

Ann,

Please place this in the correspondence side of the docket file for the following dockets:
Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,

Bill

FPSC, CLK - CORRESPONDENCE
Administrative Parties ~~Consumer~~
DOCUMENT NO. 09029-07
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From: bill.humphrey [mailto:bill.humphrey@earthlink.net]
Sent: Wednesday, March 18, 2009 12:44 PM
To: Nathan A. Skop; Nancy Argenziano; Katrina McMurrian; Lisa Edgar; Matthew Carter
Cc: Jean Hartman
Subject: From a customer of the former Aloha Utilities

I have read that Aloha Utilities, Inc is trying to get their hands on the \$350 thousand escrow account that was supposed to be refunded to customers when their rate increase was not approved. The customers had later agreed under duress that the money could be used by Aloha to fund the anion exchange installation, which they did not complete. Our agreement was they got the money when the job was done. It was never completed, the water quality was never improved and they should not get the money.

The money should be released to FGUA, the new owners, to use to help fund the improvements needed to improve the infrastructure so we get acceptable water!

The \$90.5 million sale price more than compensates the owners of Aloha for the costs incurred in preliminary engineering for the anion process installation.

William F. Humphrey
2120 Larchwood Court
Trinity, FL 34655

727-808-4483

3/18/2009

Ann Cole

060606

From: Ann Cole
Sent: Wednesday, March 18, 2009 3:14 PM
To: Bill McNulty
Cc: Cristina Slaton; Larry Harris; Lorena Holley; William C. Garner; Roberta Bass; Jean Hartman
Subject: RE: Aloha Wants Escrow Cash - SPTimes 3/18/09

Thanks, Bill. This information will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

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

From: Bill McNulty
Sent: Wednesday, March 18, 2009 11:54 AM
To: Ann Cole
Cc: Cristina Slaton; Larry Harris; Lorena Holley; William C. Garner; Roberta Bass; Jean Hartman
Subject: FW: Aloha Wants Escrow Cash - SPTimes 3/18/09

Ann,

Please place this in the correspondence side of the docket file for the following dockets: Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

Thank You,
 Bill

Bill McNulty
 Chief Advisor to Commissioner Skop
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0855
 (850) 413-6028 (office)
 (850) 413-6029 (fax)
 bmcnulty@psc.state.fl.us

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Administrative Parties Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

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

From: Hubert Fladung [<mailto:hubert.fladung@gmail.com>]
Sent: Wednesday, March 18, 2009 8:10 AM
To: Nancy Argenziano; Nathan A. Skop
Cc: John - Chairman BWN Andrews; wayne forehand
Subject: Aloha Wants Escrow Cash - SPTimes 3/18/09

Honorable Commissioners N. Kop, N. Argenziano,

Please make the right decision here. I think it is quite obvious who's money it is, otherwise you would have never held it in the escrow account.

3/18/2009

It is NOT Aloha's money, but to be used for the customers benefits.

Hubertus J Fladung
1214 Trafalgar Dr
New Port Richey, FL
(727) 375-0879

The following article appears in the St. Petersburg Times,
3/18/09, Pasco Times section, p1.

John Andrews
CBWN Chairman

Aloha Wants Escrow Cash

The utility wants the \$375,000 it collected but did not use.
Not so fast, say customers.

By Jodie Tillman, Times Staff Writer

In print: Wednesday, March 18, 2009

TRINITY — Like a lot of bad break-ups, the split between Aloha
Utilities and its former customers is ending in a fight over who owns
what.

At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater

3/18/2009

assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

Here's how the money ended up in the escrow account:

Back in March 2006, Aloha and representatives of its 25,000 customers in the Seven Springs and Trinity area entered into a settlement agreement to resolve a number of outstanding issues.

One of those issues: Aloha's appeal of a 2004 commission order to refund nearly \$300,000 to customers who had been paying temporary rate hikes that were ultimately not approved.

As part of the 2006 settlement, Aloha agreed to drop its appeal of the rate case and put the refund money into an interest-bearing account to help pay for an "anion exchange" treatment system intended to solve long-standing water quality problems.

The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.

The treatment system never got built, of course. And when the Florida Governmental Utility Authority bought Aloha's assets this year, that group scrapped the anion exchange treatment system, saying it had other plans for improving the water quality.

Lawyers for Aloha say that since the treatment system was abandoned, Aloha should get the escrow money, in part to defray what it had spent already on plans for the system. The company also says it would use the money to finish paying off commission fees and fines as well as Pasco County for work it did at Aloha's request.

"Aloha is legally entitled to the money," said lawyer William Sundstrom, who estimates his client spent roughly \$1 million on the plans. "It's not the customers' money, it's Aloha's."

Not so, say customers and Stephen Reilly, a lawyer from the Office of Public Counsel working on their behalf.

Reilly wrote in filings to the commission that customers agreed that Aloha would get the money only if and when construction of the treatment system was finished. He wrote that Aloha's investment "will be fully compensated" by the \$90.5 million sales price.

Trinity resident Wayne Forehand said he was "appalled" by Aloha's request. He said customers will ask the commission to keep the money in escrow to help cover other improvements. Their goal is to defray future rate increases that come with the authority's purchase of Aloha's assets.

"Let's use it for the good of the community," he said.

State Sen. Mike Fasano, R-New Port Richey, a customer and longtime critic of Aloha, said Tuesday that he would also fight the utility's request.

"It seems like Aloha just wants to stick their finger in the customers' eye," he said, "one more time, as they leave."

Jodie Tillman can be reached at jtillman@sptimes.com or (727) 869-6247.

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Feeling the pinch at the grocery store? Make dinner for \$10 or less.
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060606

From: Ann Cole
Sent: Wednesday, March 18, 2009 3:03 PM
To: Larry Harris
Cc: Kay Posey; Lorena Holley; Roberta Bass; William C. Garner; Bill McNulty
Subject: RE: Aloha Wants Escrow Cash - SPTimes 3/18/09

Sure thing. This will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

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

From: Larry Harris
Sent: Wednesday, March 18, 2009 9:27 AM
To: Ann Cole
Cc: Kay Posey; Lorena Holley; Roberta Bass; William C. Garner; Bill McNulty
Subject: FW: Aloha Wants Escrow Cash - SPTimes 3/18/09

Ann, please place the following in the Aloha Dockets, which I believe are 060606-WS and 060122-WU. Thank you, Larry

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

From: Hubert Fladung [<mailto:hubert.fladung@gmail.com>]
Sent: Wednesday, March 18, 2009 8:10 AM
To: Nancy Argenziano; Nathan A. Skop
Cc: John - Chairman BWN Andrews; wayne forehand
Subject: Aloha Wants Escrow Cash - SPTimes 3/18/09

FPSC, CLK - CORRESPONDENCE
Administrative Parties / Consumer
DOCUMENT NO. 09029-07
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1214 Trafalgar Dr
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(727) 375-0879

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CBWN Chairman

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In print: Wednesday, March 18, 2009

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At issue: More than \$375,000 left in an escrow account.

Less than three weeks after Aloha sold its water and wastewater assets for \$90.5 million to the Florida Governmental Utility Authority, the company's shareholders say that the escrow money is theirs and they want state regulators to release it.

Customers and their representative say: Not so fast. That's our refund money from 2002-03.

The Florida Public Service Commission has not made a decision, said spokeswoman Kirsten Olsen.

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The agreement says that once a third series of rate increases to pay for the system got approved, Aloha could record the escrow money as its contribution to the construction, and then the money would be released to the utility.

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Jodie Tillman can be reached at jtillman@sptimes.com or (727) 869-6247.

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Feeling the pinch at the grocery store? Make dinner for \$10
or less.
(<http://food.aol.com/frugal-feasts?ncid=emlcntusfood00000001>)</HTML>

Ann Cole

060606

From: Ann Cole
Sent: Tuesday, March 17, 2009 5:38 PM
To: Jean Hartman
Subject: RE: From a customer of the OLD ALOHA Utilities

Thank you for this information. Unless otherwise instructed, I will place this in *Docket Correspondence - Consumers and their Representatives* for Docket Nos. 010503-WU, 060606-WS, 060122-WU, and 090120-WS.

From: Jean Hartman
Sent: Tuesday, March 17, 2009 5:22 PM
To: Ann Cole
Subject: FW: From a customer of the OLD ALOHA Utilities

Ann - Could you please file a copy of Mr. Forehand's email in the Aloha dockets: 010503-WU, 060606-WS, 060122-WU, and 090120-WS. Thanks. Jean

From: wayne forehand [mailto:wayneforehand@verizon.net]
Sent: Tuesday, March 17, 2009 4:24 PM
To: Jean Hartman
Cc: Steve Reilly OPC
Subject: Fw: From a customer of the OLD ALOHA Utilities

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
 DOCUMENT NO. 09029-07
 DISTRIBUTION: _____

Forwarded as information.

From: Wayne Forehand in Trinity, Florida where we have 361 days with sunshine!

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

From: wayne forehand
To: Katrina McMurrian PSC Commissioner ; L Edgar PSC Commissioner ; Matthew Carter PSC Commissioner ; Nancy Argenziano PSC Commissioner ; Nathan Skop PSC Commissioner
Cc: Senator Mike Fasano ; Steve Reilly OPC
Sent: Tuesday, March 17, 2009 4:20 PM
Subject: From a customer of the OLD ALOHA Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stock holders of Aloha Utilities. This request is totally bizarre and improper.

These funds are the customers funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago) the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU,

3/18/2009

including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of and facilitated by the PSC General Council. Paragraph 3 (d) of this Settlement agreed the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers refund monies were to be applied as CIAC until the Commission Issued its Final Order establishing Phase III rates and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements with in a 2 year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the Black water condition, not to be released to the obsessive stock holders.

Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

Ann Cole

060606

From: Ann Cole
Sent: Wednesday, March 18, 2009 5:29 PM
To: Bill McNulty
Cc: Cristina Slaton; Roberta Bass; Larry Harris; William C. Garner; Lorena Holley; Jean Hartman; Bart Fletcher
Subject: RE: From a customer of the OLD ALOHA Utilities

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, Docket Nos. 060606-WS and 060122-WU.

From: Bill McNulty
Sent: Wednesday, March 18, 2009 8:32 AM
To: Ann Cole
Cc: Cristina Slaton; Roberta Bass; Larry Harris; William C. Garner; Lorena Holley; Jean Hartman; Bart Fletcher
Subject: FW: From a customer of the OLD ALOHA Utilities

Ann,

Please place this in the correspondence side of Docket Nos. 060122-WU and 060606-WS.

Thanks,
 Bill

Bill McNulty
 Chief Advisor to Commissioner Skop
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0855
 (850) 413-6028 (office)
 (850) 413-6029 (fax)
 bmcnulty@psc.state.fl.us

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Administrative Parties Consumer
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From: wayne forehand <wayneforehand@verizon.net>
To: Katrina McMurrin; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop
Cc: Senator Mike Fasano <FASANO.MIKE.S11@flsenate.gov>; Steve Reilly OPC <reilly.steve@leg.state.fl.us>
Sent: Tue Mar 17 16:20:18 2009
Subject: From a customer of the OLD ALOHA Utilities

To: PSC Commissioners

I am writing to say that as a customer, I am delighted to finally be relieved of the unresponsive and negligent management of the Old Aloha Utilities. However after the closing of the sale, I'm appalled to read that Aloha has requested and demanded that the Public Service Commission agree, "forthwith, to execute and transmit such documentation as is necessary and required to release" the customers refund currently maintained in Account No. 3720776209 at AmSouth Bank to the old stock holders of Aloha

3/18/2009

Utilities. This request is totally bizarre and improper.

These funds are the customers funds awarded as a refund of overpayment. On April 30, 2002 (7 years ago) the Commission issued Order # PSC-02-0593-FOF-WU, which denied Aloha's request for a rate increase and ordered a refund of the interim rates. Of course Aloha appealed the Final Order as they did almost every action by the PSC over the past 10 years.

On May 6, 2003, the First DCA affirmed the Commission's Final Order No. PSC-02-0593-FOF-WU, including the Commission's requirement of a complete refund of the interim rate increase. The customers have been waiting a long time.

In 2006, a Settlement Agreement was implemented under the direction of and facilitated by the PSC General Council. Paragraph 3 (d) of this Settlement agreed the customers were willing to apply the net refund monies (unpaid refunds plus interest less agreed \$45,000) to pay for the permanent and effective solution to the long-standing black water problems in the Aloha utilities system. The customers never agreed that these refund monies would ever be given to the shareholders of Aloha. Quite to the contrary, they would only be considered contributions-in-aid-of-construction (CIAC) of the facilities built to solve the black water problems, and would only be applied as CIAC if and when the facilities were completely constructed, and after the facilities were fully operational. Pursuant to the expressed terms of the Settlement Agreement, not one penny of the customers refund monies were to be applied as CIAC until the Commission Issued its Final Order establishing Phase III rates and the Order was final and non-appealable. I remind the PSC staff and Commissioners that Aloha never even had approval of a full Phase I increase, much less the required Phase II or Phase III. Aloha did not install the promised improvements to resolve the "Black Water" problems. This escrow remains the customers refund.

The intent of the Settlement Agreement was based on the good faith of the implementation of the improvements with in a 2 year time period as promised to the customers at signing. Aloha has now sold at an extravagant profit. I as a customer suggest that the customers refund held in escrow be released to a "rate stabilization escrow fund" to cover future rate increases required to improve the Black water condition, not to be released to the obsessive stock holders.

Wayne Forehand
1216 Arlinbrook Drive
Trinity, FL 34655

060606

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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

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08 NOV 19 PM 1:35
COMMISSION
CLERK

Public Service Commission

November 19, 2008

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09029-07</u>		
DISTRIBUTION: _____		

Mr. Wayne Forehand
1216 Arlinbrook Drive
New Port Richey, FL 34655

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Forehand:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, 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) 413-6193.

Sincerely,

for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

060606

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



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

RECEIVED-FPSC
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COMMISSION CLERK

Public Service Commission

November 19, 2008

Brian P. Armstrong
Nabors Law Firm
c/o Florida Governmental Utility Authority
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09029-07		
DISTRIBUTION: _____		

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Armstrong:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, 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) 413-6193.

Sincerely,

Jennifer Bonk
for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

060606

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



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

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COMMISSION CLERK

Public Service Commission

November 19, 2008

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 0902907
DISTRIBUTION: _____

Richard Power
1534 Haverhill Drive
New Port Richey, FL 34655

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Power:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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

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Internet E-mail: contact@psc.state.fl.us

060606

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LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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

Public Service Commission

November 19, 2008

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08 NOV 19 PM 1:35
COMMISSION CLERK

Pasco Health Investors, LLC
4415 Pheasant Ridge Road, Suite 301
Roanoke, VA 24014

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09029-07		
DISTRIBUTION: _____		

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Pasco Health Investors:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

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Sincerely,

for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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

060602
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COMMISSION
CLERK

Public Service Commission

November 19, 2008

Bruce May
Holland & Knight Law Firm
315 South Calhoun Street, Suite 600
Tallahassee, FL 32301

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>0902907</u>		
DISTRIBUTION: _____		

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

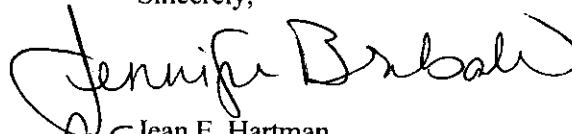
DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. May:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, 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) 413-6193.

Sincerely,


for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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Internet E-mail: contact@psc.state.fl.us

060606

STATE OF FLORIDA

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KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



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

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COMMISSION CLERK

Public Service Commission

November 19, 2008

Mr. John H. Gaul
1120 N.W. 5th Avenue
Delray Beach, FL 33444

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09029-07		
DISTRIBUTION: _____		

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Gaul:

Enclosed is a copy of the Staff Recommendation filed in this matter on November 18, 2008. The Commission is expected to consider this Recommendation at its December 2, 2008, 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) 413-6193.

Sincerely,

Jennifer Brubaker
for Jean E. Hartman
Senior Attorney

JEH:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)

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

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Kimberley Pena

From: Kimberley Pena
Sent: Monday, May 19, 2008 11:18 AM
To: Ann Cole; Jean Hartman
Subject: RE: From an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09029-07		
DISTRIBUTION: ECR, GCL		

Per this email, we will place this correspondence in the consumer correspondence file for Docket 060606.

From: Ann Cole
Sent: Monday, May 19, 2008 11:02 AM
To: Jean Hartman
Cc: Katrina McMurrian; Lorena Holley; Mary Bane; Marshall Willis; Michael Cooke; Kimberley Pena; Kay Posey
Subject: RE: From an Aloha Utilities customer

Thanks, Jean. I will also add this to *Docket Correspondence-Consumers and their Representatives*, in Docket No. 060606-WS as well.

From: Jean Hartman
Sent: Monday, May 19, 2008 8:48 AM
To: Ann Cole
Subject: RE: From an Aloha Utilities customer

Hi Ann- this should probably go into Aloha docket 060606-ws. Jean

From: Ann Cole
Sent: Monday, May 19, 2008 8:46 AM
To: Katrina McMurrian; Lorena Holley; Mary Bane; Marshall Willis; Michael Cooke; Jean Hartman
Cc: Kay Posey; Kimberley Pena
Subject: RE: From an Aloha Utilities customer

Thank you for this information. Unless otherwise instructed, this email will be placed in *Docket Correspondence-Consumers and their Representatives*, in the active Aqua Utilities Docket Nos. 060368-WS, 070739-WS, 080121-WS and 080167-WS.

From: Katrina McMurrian
Sent: Sunday, May 18, 2008 4:42 PM
To: Lorena Holley; Mary Bane; Marshall Willis; Michael Cooke; Jean Hartman
Cc: Ann Cole; Kay Posey
Subject: FW: From an Aloha Utilities customer

From: Sheila Forehand [mailto:sheilaforehand@verizon.net]
Sent: Sat 5/17/2008 1:49 PM
To: Undisclosed-Recipient;;
Subject: From an Aloha Utilities customer

Commissioners, Once more, Aloha Utilities waits until the last minute to delay their commitment to their customers. They skillfully throw the burden back upon the PSC and challenge the judgment of the Commissioners. Meanwhile, our water continues to smell foul, consistently. It smells as though

there is a deficiency of chlorination.

From the Tampa Tribune:

- > "Florida law is clear that before the PSC may impose any administrative
- > fines
- > against Aloha, the PSC has the burden to prove by clear and convincing
- > evidence the violations alleged in its complaint," Aloha attorney John
- > Wharton wrote
- > in the extension request.

Kimberley Pena

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 0902907		
DISTRIBUTION:		

From: Ann Cole
Sent: Monday, May 19, 2008 11:02 AM
To: Jean Hartman
Cc: Katrina McMurrian; Lorena Holley; Mary Bane; Marshall Willis; Michael Cooke; Kimberley Pena; Kay Posey
Subject: RE: From an Aloha Utilities customer

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To: Undisclosed-Recipient;
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- > against Aloha, the PSC has the burden to prove by clear and convincing
- > evidence the violations alleged in its complaint," Aloha attorney John
- > Wharton wrote
- > in the extension request.

5/19/2008

Kimberley Pena

From: Kimberley Pena
Sent: Monday, May 19, 2008 11:18 AM
To: Ann Cole; Jean Hartman
Subject: RE: From an Aloha Utilities customer

Per this email, we will place this correspondence in the consumer correspondence file for Docket 060606.

From: Ann Cole
Sent: Monday, May 19, 2008 11:02 AM
To: Jean Hartman
Cc: Katrina McMurrian; Lorena Holley; Mary Bane; Marshall Willis; Michael Cooke; Kimberley Pena; Kay Posey
Subject: RE: From an Aloha Utilities customer

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Cc: Kay Posey; Kimberley Pena
Subject: RE: From an Aloha Utilities customer

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Sent: Sat 5/17/2008 1:49 PM
To: Undisclosed-Recipient;;
Subject: From an Aloha Utilities customer

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- > "Florida law is clear that before the PSC may impose any administrative
- > fines
- > against Aloha, the PSC has the burden to prove by clear and convincing
- > evidence the violations alleged in its complaint," Aloha attorney John
- > Wharton wrote
- > in the extension request.

Ann Cole

From: Ann Cole
Sent: Thursday, April 10, 2008 8:01 AM
To: Roberta Bass
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom
Subject: FW: From An Aloha Customer

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

Hey, Roberta.

This emails corrects a typographical error. This correspondence will be placed in Docket Nos. 060606-WS and 060122-WU, as instructed.

From: Ann Cole
Sent: Wednesday, April 09, 2008 5:11 PM
To: Roberta Bass
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom
Subject: RE: From An Aloha Customer

Thanks, Roberta.

This email will be placed in *Docket Correspondence - Consumers and their representatives*, in Docket Nos. 060606-WS and 080121-WS tomorrow morning.

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

From: Roberta Bass
Sent: Wednesday, April 09, 2008 4:26 PM
To: Ann Cole
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom
Subject: FW: From An Aloha Customer

Please place this correspondence in Docket Nos. 060606-WS and 060122-WU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Commissioner Edgar

Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

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

From: Sheila Forehand <sheilaforehand@verizon.net>
To: Nathan Skop <nscop@PSC.state.fl.us>; Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano
Sent: Wed Apr 09 16:14:01 2008
Subject: From An Aloha Customer

4/10/2008

April 9, 2008

Dear Commissioners:

Thank you to each and every one of you for acknowledging the concerns that customers have expressed about Aloha Utilities.

Fining Aloha Utilities \$15,000 rather than \$5,000 was fair and appropriate.

I have lived with their water and the problems that come with it for 14 years now. Even now, the water consistently smells bad – more consistently than in the past. We customers wonder if Aloha is exercising good maintenance techniques, knowing that discussions about a sale are taking place.

Sheila Forehand

1216 Arlinbrook Drive

Trinity, FL 34655

sheilaforehand@verizon.net

4/10/2008

Ann Cole

From: Ann Cole
Sent: Friday, April 11, 2008 7:28 AM
To: Bridget Groom
Cc: William C. Garner; Lorena Holley; Larry Harris; Roberta Bass
Subject: RE: From an Aloha Customer

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

Thanks Bridget. This will be placed in *Docket Correspondence-Consumers and their Representatives*, Docket No. 060606-WS.

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

From: Bridget Groom
Sent: Thursday, April 10, 2008 3:37 PM
To: Ann Cole
Cc: William C. Garner; Lorena Holley; Larry Harris; Roberta Bass
Subject: FW: From an Aloha Customer

Ann,

Can you please place the following email in the correspondence side of docket #060606? Thanks.

Bridget

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

From: Sheila Forehand <sheilaforehand@verizon.net>
To: Nathan A. Skop
Sent: Wed Apr 09 16:19:10 2008
Subject: From an Aloha Customer

April 9, 2008

Dear Commissioners:

Thank you to each and every one of you for acknowledging the concerns that customers have expressed about Aloha Utilities.

Fining Aloha Utilities \$15,000 rather than \$5,000 was fair and appropriate.

I have lived with their water and the problems that come with it for 14 years now. Even now, the water consistently smells bad – more consistently than in the past. We customers wonder if Aloha is exercising good maintenance techniques, knowing that discussions about a sale are taking place.

4/11/2008

Sheila Forehand
1216 Arlinbrook Drive
Trinity, FL 34655
sheilaforehand@verizon.net

060606

Ann Cole

From: Ann Cole
Sent: Wednesday, March 19, 2008 7:41 AM
To: Office Of Commissioner Edgar
Subject: RE: Customer Protest Concerning Aloha Utilities Rate Increase

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO.		09029-07
DISTRIBUTION		

Thank you for this information, which will be placed in *Docket Correspondence - Consumers and their representatives*, in Docket Nos. 060122-WU and 060606-WS today.

From: Office Of Commissioner Edgar
Sent: Tuesday, March 18, 2008 4:27 PM
To: Ann Cole
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom
Subject: FW: Customer Protest Concerning Aloha Utilities Rate Increase

Please place in Docket Nos. 060122-Wu and 060606-WS. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Commissioner Edgar

Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Richard [mailto:db_design@hotmail.com]
Sent: Wednesday, March 12, 2008 8:52 PM
To: Office of Commissioner Argenziano; Office Of Commissioner Edgar; Office of the Chairman; Office of Commissioner McMurrian; Office of Commissioner Skop; Ryder Rudd
Cc: Wayne Forehand
Subject: Customer Protest Concerning Aloha Utilities Rate Increase

Richard L. Power

1534 Haverhill Drive – New Port Richey, FL 34655 – (727) 376-7006
email db_design@hotmail.com

March 12, 2008

3/19/2008

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

Ref: **Docket No. 060122-WU** – Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to **PROTEST** your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

1. The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

Page 2 – Protest to Aloha's Rate Increase – Docket No. 060122-WU

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,

A rectangular box containing a small 'x' icon in the top-left corner, representing an electronic signature.

Richard Power
Electronic Signature for Purposes of Expediting Response

CC: Wayne Forehand via email

3/19/2008

Ann Cole

060606-WS

From: Ann Cole
Sent: Monday, December 17, 2007 4:57 PM
To: Michael Cooke
Cc: Roberta Bass; Jean Hartman; Troy Rendell
Subject: RE: Letter To Aloha Utilities

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09029-07		
DISTRIBUTION: _____		

Thank you for this email, which will be placed in correspondence.

From: Michael Cooke
Sent: Monday, December 17, 2007 12:02 PM
To: Ann Cole
Cc: Roberta Bass; Jean Hartman; Troy Rendell
Subject: FW: Letter To Aloha Utilities

Ann, please put this correspondence into the dockets for the Aloha settlement monitoring and the limited proceeding. Terri Fleming or Jean Hartman can forward the docket numbers if you need them. Thanks. MGC

From: wayne forehand [mailto:wayneforehand@verizon.net]
Sent: Monday, December 17, 2007 10:31 AM
To: Michael Cooke
Cc: Steve Reilly OPC
Subject: Fw: Letter To Aloha Utilities

The following is a self explanatory letter which I was forwarded a copy of this morning from a very obviously angry Aloha Utilities customer. This complaint was based on the recent notice sent to all customers blaming the customers in-tank cleaning products and chemicals.

As I had understood, Aloha management agreed to communicate to the community in a positive proactive manner an updated status on progress they are making towards solving the chronic and long going problem. This recent Aloha flyer has no mention of any progress towards solving the water problems.

Aloha could be using these mailing opportunities to encourage the customers about a sincere efforts to help the customers and solve the problem. But this is Aloha of old!

It now appears that two more months have gone by, with customers kept completely in the dark without any hopefulness for a forthcoming solution. The only thing the customers have read in the paper is that Senator Fasano is working with the PSC to establish deletion from this very incompetent and underperforming utility as well providing speculation that the county may purchase the water utility. Oh yes, we have also read that the Aloha attorney protested the senators proposed legislation; but the community has been reading for years that the utility relies on attorneys protest and legal action rather than competent engineers.

I'm sure we can all understand why customers are screaming.

12/17/2007

From: Wayne Forehand in Trinity Florida!

Richard L. Power

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006
email db_design@hotmail.com

December 17, 2007

Aloha Utilities, Inc.
Attn: Steve Watford
6915 Perrine Ranch Road
New Port Richey, FL 34655

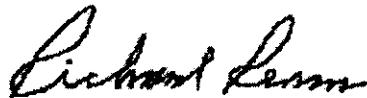
Ref: Green flyer in this month's bill, received December 15, 2007

Dear Mr. Watford,

In your monthly bill was a green flyer asking us to stop our leaks in the toilets because the flappers are damaged due to the chemicals put in the tanks. I do not put chemicals in our toilet tanks. In stead I watch the black, sulfur smelling, slimy, unhealthy material from Aloha's water build up in the bottom of our toilets, thus causing the flappers to deteriorate. Then I have to put in new flappers. Why do you and your attorneys continue to blame other sources for our water problems, when in fact, the cause of all of our water problems originates with the black-sulfur smelling and unhealthy water that Aloha provides its customers?

You should look at the utility as the biggest waste of water. We came home from a Christmas party this past Saturday night around 10:00 PM and I found one of your employees dumping water on the corner of Mitchell and Davenport. You are the biggest waster of water. Here we are in water restrictions and Aloha continues to dump water. You are dumping at night so we do not see you? You are over pumping your wells and not treating the water properly to provide a 'quality' water product to your customers. You need to look in the mirror and see who is causing all of Aloha's water problems. You need to sell your utility to Pasco County before your territory is taken away because you are in violation of the PSC agreement. We all know you do not intend to comply with the PSC agreement.

Sincerely,



Richard Power
Electronic Signature for Purposes of Expediting Response

CC: Senator Fasano via email
Lisa Polak Edgar, Chairperson PSC via mail
Pasco County Commissioners via email
Wayne Forehand via email
Jean Hartman, PSC Senior Attorney via mail
ABCNews, NBCNews, CBSNews, FoxNews via mail

12/17/2007

Ann Cole

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<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09029-07</u>		
DISTRIBUTION: _____		

From: Ann Cole
Sent: Tuesday, November 20, 2007 1:24 PM
To: Roberta Bass
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom; Michael Cooke
Subject: RE: LETTER TO EACH COMMISSIONER FROM STATE SENATOR MIKE FASANO

Thanks, Roberta. I have printed these letters.

Unless otherwise instructed, they will be placed in Docket No. 060606-WS:

Docket Correspondence - Consumers & their representatives.

From: Roberta Bass
Sent: Tuesday, November 20, 2007 12:42 PM
To: Ann Cole
Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom; Michael Cooke
Subject: FW: LETTER TO EACH COMMISSIONER FROM STATE SENATOR MIKE FASANO

Please file the attached letters (all of them) in the docket file in Docket No. 060606-WS. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Randy Roland
Sent: Tuesday, November 20, 2007 12:33 PM
To: Roberta Bass; William C. Garner; Lorena Holley; Larry Harris; Bridget Groom
Cc: Carlotta Stauffer; Lois Graham; Kay Posey; Steve Larson; Mary Macko; Rhonda Hicks; Ellen Plendl; Ruth McHargue
Subject: FW: LETTER TO EACH COMMISSIONER FROM STATE SENATOR MIKE FASANO

From: Consumer Contact
Sent: Tuesday, November 20, 2007 11:52 AM
To: Randy Roland; Ruth McHargue
Cc: Ellen Plendl

11/20/2007

Subject: FW: LETTER TO EACH COMMISSIONER FROM STATE SENATOR MIKE FASANO

From: GIORDANO.GREGORY.S11 [mailto:GIORDANO.GREGORY.S11@flsenate.gov]

Sent: Tuesday, November 20, 2007 11:49 AM

To: Consumer Contact

Subject: LETTER TO EACH COMMISSIONER FROM STATE SENATOR MIKE FASANO

Please distribute the attached letters to each member of the Florida Public Service Commission on behalf of State Senator Mike Fasano.

Thank you,

Greg

Greg Giordano

Chief Legislative Assistant to State Senator Mike Fasano

8217 Massachusetts Avenue 310 Senate Office Building

New Port Richey, FL 34653 Tallahassee, FL 32399

(727) 848-5885

(850) 487-5062

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Tallahassee, Florida 32399-1100

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SENATOR MIKE FASANO

Majority Whip
11th District

November 20, 2007

The Honorable Katrina McMurrian
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Commissioner McMurrian:

On April 4, 2006 the Florida Public Service Commission approved a settlement agreement between Aloha Utilities and the customers of the Seven Springs Service Delivery Area. The settlement agreement came after many months of negotiations between the Florida Public Service Commission, the Office of Public Counsel, the customers of Seven Springs and the utility company. The existing case which resulted in the agreement was begun in 2001 when Aloha Utilities filed for a rate increase for its services. Due to the ongoing presence of black water in Aloha's system the customers protested Aloha's attempts to receive that rate increase.

In an attempt to resolve the ongoing legal battles the parties entered into negotiations in August of 2005 which continued until March of 2006. The settlement agreement is the result of those efforts. The order ratifying the agreement states that "the Settlement...is a comprehensive agreement that resolves all outstanding dockets and court proceedings between Aloha and this Commission. One key element of the Settlement is the agreement by the Parties that it is prudent for Aloha to implement a new water treatment method – anion exchange – to address the current problems that stem from the presence of hydrogen sulfide in the water." The agreement was signed by members of the Better Water Now organization on behalf of the customers of Seven Springs.

Pursuant to the terms of settlement agreement, the deletion proceedings were voluntarily dismissed by the Commission. However, the agreement and the Commission order which approved it, expressly provides that if the Commission finds probable cause that Aloha has violated its obligations under specified subsections of the agreement, the Commission can initiate an enforcement action against Aloha for such alleged violations, pursuant to Chapter 367.161, Florida Statutes. In short, the agreement and the Commission order which approved it, expressly provides that if the Commission determines that Aloha is not proceeding in good faith to complete the anion exchange project within 24 months, the Commission can commence an enforcement action against Aloha. Under Chapter 367.161, Florida Statutes, the potential

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President of the Senate

LISA CARLTON
President Pro Tempore

sanctions that could be imposed in such an enforcement action include the imposition of substantial fines and or amending, suspending or revoking Aloha's certificate of authorization to provide water and wastewater services to the public.

The settlement agreement contemplated a two year time frame to design and install the anion exchange water treatment process as well as the bulk purchase of additional water from Pasco County. The settlement agreement brought a renewed sense of hope for customers of Aloha who, for more than a decade, have been forced to accept the substandard water provided by this private utility monopoly. Commission staff has done an excellent job holding periodic update meetings between Aloha, the Office of Public Counsel and customer representatives. Greg Giordano, my chief legislative assistant, has attended many of the meetings either in person or via conference call, and has kept me informed of the progress. Unfortunately, as the meetings progressed, the possibility of a timely completion of the agreement drew dimmer.

Nineteen months after the agreement was approved the customers are no closer to receiving the clean, clear water they expected to receive after completion of the settlement agreement. Based on its most recent progress report Aloha Utilities is at least one year behind schedule with the likelihood that additional delays are on the horizon.

By their own report Aloha Utilities was first made aware that Dr. Audrey Levine, its consultant charged with designing the anion exchange system, would be leaving her post with the University of South Florida to accept a position in Washington, D.C. She reportedly promised to finish the report for Aloha but took ten months to deliver the first part of her report. The next phase of the anion exchange system could not proceed without the completion of her report for its recommendations would drive Aloha's application for a permit from the Department of Environmental Protection to move forward with the planned process. Upon delivery of the report Aloha's own hydrologist Dr. David Gomberg has expressed concerns with the excess amount of brine that will be produced according to Dr. Levine's research. Until this issue is addressed the DEP permit application cannot be submitted because of the potential negative impact on the environment through Aloha's reuse water system.

What has become clear is that Aloha Utilities should have foreseen last December that with Dr. Levine's departure from USF that perhaps it would have been prudent to look at having a back-up plan in the event that she did not ultimately deliver her report. In any case, her report came in months behind schedule, which only led to further delay since Dr. Gomberg had to review her findings. His initial response is that blending the anion exchange wastewater with Aloha's existing wastewater could produce a blended reuse water that might cause adverse impacts on the environment. Additionally, I believe it is fair to say, that the entire feasibility of the anion exchange treatment process is now in question.

Prior to the settlement agreement being enacted I was a strong advocate that deletion proceedings against Aloha be undertaken. With a healthy amount of skepticism, based on Aloha's long

November 20, 2007

Page 3

history of delay tactics, I did have a glimmer of hope that with the legal threat of deletion or revocation looming, Aloha would comply with its end of the settlement agreement. It is becoming increasingly obvious, however, that Aloha continues to either make poor business choices or just does not have the drive to fulfill the agreement.

As this Commission is aware I have long been a proponent of Pasco County taking over Aloha Utilities' franchise. Aloha is not fulfilling its commitment to its customers or to this Commission. I respectfully request that the Commission consider re-initiating deletion or initiating revocation proceedings against Aloha Utilities. It would be unfair to the customers to wait any longer nor will it serve any purpose to continue extending legal proceedings that appear to be heading nowhere.

I thank you in advance for your consideration of this request. If you would like to discuss this further please do not hesitate to call on me.

Yours truly,

A handwritten signature in black ink that reads "Mike Fasano". The signature is written in a cursive, slightly slanted style.

Mike Fasano
State Senator, District 11

MF/gg

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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SENATOR MIKE FASANO

Majority Whip
11th District

November 20, 2007

The Honorable Lisa Edgar
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Chair Edgar:

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In an attempt to resolve the ongoing legal battles the parties entered into negotiations in August of 2005 which continued until March of 2006. The settlement agreement is the result of those efforts. The order ratifying the agreement states that "the Settlement...is a comprehensive agreement that resolves all outstanding dockets and court proceedings between Aloha and this Commission. One key element of the Settlement is the agreement by the Parties that it is prudent for Aloha to implement a new water treatment method – anion exchange – to address the current problems that stem from the presence of hydrogen sulfide in the water." The agreement was signed by members of the Better Water Now organization on behalf of the customers of Seven Springs.

Pursuant to the terms of settlement agreement, the deletion proceedings were voluntarily dismissed by the Commission. However, the agreement and the Commission order which approved it, expressly provides that if the Commission finds probable cause that Aloha has violated its obligations under specified subsections of the agreement, the Commission can initiate an enforcement action against Aloha for such alleged violations, pursuant to Chapter 367.161, Florida Statutes. In short, the agreement and the Commission order which approved it, expressly provides that if the Commission determines that Aloha is not proceeding in good faith to complete the anion exchange project within 24 months, the Commission can commence an enforcement action against Aloha. Under Chapter 367.161, Florida Statutes, the potential

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November 20, 2007

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The settlement agreement contemplated a two year time frame to design and install the anion exchange water treatment process as well as the bulk purchase of additional water from Pasco County. The settlement agreement brought a renewed sense of hope for customers of Aloha who, for more than a decade, have been forced to accept the substandard water provided by this private utility monopoly. Commission staff has done an excellent job holding periodic update meetings between Aloha, the Office of Public Counsel and customer representatives. Greg Giordano, my chief legislative assistant, has attended many of the meetings either in person or via conference call, and has kept me informed of the progress. Unfortunately, as the meetings progressed, the possibility of a timely completion of the agreement drew dimmer.

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By their own report Aloha Utilities was first made aware that Dr. Audrey Levine, its consultant charged with designing the anion exchange system, would be leaving her post with the University of South Florida to accept a position in Washington, D.C. She reportedly promised to finish the report for Aloha but took ten months to deliver the first part of her report. The next phase of the anion exchange system could not proceed without the completion of her report for its recommendations would drive Aloha's application for a permit from the Department of Environmental Protection to move forward with the planned process. Upon delivery of the report Aloha's own hydrologist Dr. David Gomberg has expressed concerns with the excess amount of brine that will be produced according to Dr. Levine's research. Until this issue is addressed the DEP permit application cannot be submitted because of the potential negative impact on the environment through Aloha's reuse water system.

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Mike Fasano
State Senator, District 11

MF/gg

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SENATOR MIKE FASANO

Majority Whip
11th District

November 20, 2007

The Honorable Matthew Carter
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Commissioner Carter:

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Mike Fasano
State Senator, District 11

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SENATOR MIKE FASANO

Majority Whip
11th District

November 20, 2007

The Honorable Nancy Argenziano
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Commissioner Argenziano:

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Page 2

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The settlement agreement contemplated a two year time frame to design and install the anion exchange water treatment process as well as the bulk purchase of additional water from Pasco County. The settlement agreement brought a renewed sense of hope for customers of Aloha who, for more than a decade, have been forced to accept the substandard water provided by this private utility monopoly. Commission staff has done an excellent job holding periodic update meetings between Aloha, the Office of Public Counsel and customer representatives. Greg Giordano, my chief legislative assistant, has attended many of the meetings either in person or via conference call, and has kept me informed of the progress. Unfortunately, as the meetings progressed, the possibility of a timely completion of the agreement drew dimmer.

Nineteen months after the agreement was approved the customers are no closer to receiving the clean, clear water they expected to receive after completion of the settlement agreement. Based on its most recent progress report Aloha Utilities is at least one year behind schedule with the likelihood that additional delays are on the horizon.

By their own report Aloha Utilities was first made aware that Dr. Audrey Levine, its consultant charged with designing the anion exchange system, would be leaving her post with the University of South Florida to accept a position in Washington, D.C. She reportedly promised to finish the report for Aloha but took ten months to deliver the first part of her report. The next phase of the anion exchange system could not proceed without the completion of her report for its recommendations would drive Aloha's application for a permit from the Department of Environmental Protection to move forward with the planned process. Upon delivery of the report Aloha's own hydrologist Dr. David Gomberg has expressed concerns with the excess amount of brine that will be produced according to Dr. Levine's research. Until this issue is addressed the DEP permit application cannot be submitted because of the potential negative impact on the environment through Aloha's reuse water system.

What has become clear is that Aloha Utilities should have foreseen last December that with Dr. Levine's departure from USF that perhaps it would have been prudent to look at having a back-up plan in the event that she did not ultimately deliver her report. In any case, her report came in months behind schedule, which only led to further delay since Dr. Gomberg had to review her findings. His initial response is that blending the anion exchange wastewater with Aloha's existing wastewater could produce a blended reuse water that might cause adverse impacts on the environment. Additionally, I believe it is fair to say, that the entire feasibility of the anion exchange treatment process is now in question.

Prior to the settlement agreement being enacted I was a strong advocate that deletion proceedings against Aloha be undertaken. With a healthy amount of skepticism, based on Aloha's long

November 20, 2007

Page 3

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As this Commission is aware I have long been a proponent of Pasco County taking over Aloha Utilities' franchise. Aloha is not fulfilling its commitment to its customers or to this Commission. I respectfully request that the Commission consider re-initiating deletion or initiating revocation proceedings against Aloha Utilities. It would be unfair to the customers to wait any longer nor will it serve any purpose to continue extending legal proceedings that appear to be heading nowhere.

I thank you in advance for your consideration of this request. If you would like to discuss this further please do not hesitate to call on me.

Yours truly,

A handwritten signature in black ink that reads "Mike Fasano". The signature is written in a cursive, slightly slanted style.

Mike Fasano
State Senator, District 11

MF/gg

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Transportation and Economic Development
Appropriations, *Chair*
Communications and Public Utilities
Fiscal Policy and Calendar
Health Regulation
Judiciary
Regulated Industries
Rules

JOINT COMMITTEE:
Legislative Budget Commission

SENATOR MIKE FASANO

Majority Whip
11th District

November 20, 2007

The Honorable Nathan Skop
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Commissioner Skop:

On April 4, 2006 the Florida Public Service Commission approved a settlement agreement between Aloha Utilities and the customers of the Seven Springs Service Delivery Area. The settlement agreement came after many months of negotiations between the Florida Public Service Commission, the Office of Public Counsel, the customers of Seven Springs and the utility company. The existing case which resulted in the agreement was begun in 2001 when Aloha Utilities filed for a rate increase for its services. Due to the ongoing presence of black water in Aloha's system the customers protested Aloha's attempts to receive that rate increase.

In an attempt to resolve the ongoing legal battles the parties entered into negotiations in August of 2005 which continued until March of 2006. The settlement agreement is the result of those efforts. The order ratifying the agreement states that "the Settlement...is a comprehensive agreement that resolves all outstanding dockets and court proceedings between Aloha and this Commission. One key element of the Settlement is the agreement by the Parties that it is prudent for Aloha to implement a new water treatment method – anion exchange – to address the current problems that stem from the presence of hydrogen sulfide in the water." The agreement was signed by members of the Better Water Now organization on behalf of the customers of Seven Springs.

Pursuant to the terms of settlement agreement, the deletion proceedings were voluntarily dismissed by the Commission. However, the agreement and the Commission order which approved it, expressly provides that if the Commission finds probable cause that Aloha has violated its obligations under specified subsections of the agreement, the Commission can initiate an enforcement action against Aloha for such alleged violations, pursuant to Chapter 367.161, Florida Statutes. In short, the agreement and the Commission order which approved it, expressly provides that if the Commission determines that Aloha is not proceeding in good faith to complete the anion exchange project within 24 months, the Commission can commence an enforcement action against Aloha. Under Chapter 367.161, Florida Statutes, the potential

REPLY TO:

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- 302 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: www.fsenate.gov

KEN PRUITT
President of the Senate

LISA CARLTON
President Pro Tempore

November 20, 2007

Page 2

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November 20, 2007

Page 3

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Yours truly,

A handwritten signature in black ink that reads "Mike Fasano". The signature is written in a cursive, slightly slanted style.

Mike Fasano
State Senator, District 11

MF/gg

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 9029-07
DISTRIBUTION: _____

FLORIDA PUBLIC SERVICE COMMISSION

Chief Advisor to Chairman Edgar

Roberta S. Bass

2540 Shumard Oak Boulevard ♦ Tallahassee, Florida 32399-0854

Phone: (850) 413-6016 Fax: (850) 413-6017

E-mail: rbass@psc.state.fl.us

Ans -

*please place the
attached in Rocket No.
060606-WS.*

*Thanks,
Roberta*

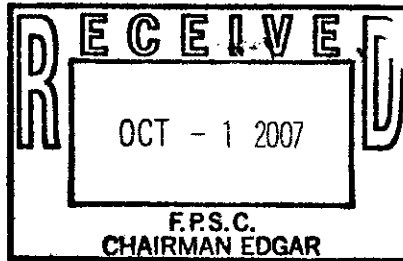
Richard L. Power

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>9029-07</u>		
DISTRIBUTION: _____		

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006
email db_design@hotmail.com

September 27, 2007

Lisa Polak Edgar
Chairman
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Ref: Aloha Utilities Agreement and recent newspaper articles in the Tampa Tribune and the Suncoast News

Dear Ms. Edgar,

I am enclosing a whole house filter that I changed yesterday. I would like to remind you of the kind of water we receive from Aloha Utilities. This is water that is being filtered before it gets INTO the home. Aloha Utilities and their attorneys want you to believe that it is the copper pipes within the home that is causing the problem. Not so as you can see and smell.

Why you and the PSC continue to defend and support Aloha Utilities is beyond me.

Why would Aloha put the installation of this new system into the hands of a college professor? This just shows that Aloha does not have the technical or management expertise to run their company. Attorneys sure do NOT know anything about providing a quality water product.

Please make sure this is posted on Aloha's dockets.

Sincerely,

Richard Power
Electronic Signature for Purposes of Expediting Response

CC: Senator Fasano
Pasco County Commissioners

RECEIVED-FPSC
 07 OCT - 2 AM 10:11
 COMMISSION
 CLERK

WARNING

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

FLORIDA PUBLIC SERVICE COMMISSION

Chief Advisor to Chairman Edgar

Roberta S. Bass

2540 Shumard Oak Boulevard ♦ Tallahassee, Florida 32399-0854
Phone: (850) 413-6016 Fax: (850) 413-6017
E-mail: rbass@psc.state.fl.us

Ann -

*Please file the
attached in Docket
No. 060606-WS.*

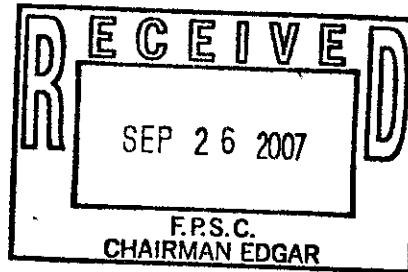
*Thank you,
Roberta*

Richard L. Power

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006
email db_design@hotmail.com

September 23, 2007

Lisa Polak Edgar
Chairman
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



Ref: Aloha Utilities Agreement and recent newspaper articles in the Tampa Tribune and the Suncoast News

Dear Ms. Edgar,

Again Aloha Utilities has found another excuse and delay not to implement the anion exchange system as agreed upon in the agreement Aloha has with the customers and the PSC.

I wrote Mr. Cooke several weeks ago to start deletion proceedings against Aloha Utilities and to date I have not heard back from him. So I am assuming he is now on the side of Aloha Utilities and not captive customers. Mr. Cooke has failed miserably!

The customers were very specific at the customer/PSC meeting in March, 2006 in which Rick Melson, then with the PSC, stated that the PSC would NOT put up with any delays in the implementation of the agreement by Aloha Utilities. He told us that was a promise by the PSC! But yet that is all the PSC has done is to accept delays without penalties imposed on Aloha. But here we are more than 1 3/4 years later and Aloha has NOT proceeded to implement the anion exchange system, but to come up with yet another excuse. Aloha Utilities does NOT have the technical expertise or the management know-how to implement such a system, because Aloha is run by attorneys.

I am pleading with you to start aggressive deletion proceedings of Aloha's territory with instructions to Pasco Commissioners/Utilities to take over Aloha's territory. It is time for the PSC to step up to the plate and taken action. We have waited over 15 years for the PSC to do something. NOW DO SOMETHING except side with Aloha! All current and future rate increases requested by Aloha need to be DENIED.

Please make sure this is posted on Aloha's dockets.

Sincerely,

A handwritten signature in cursive script that reads "Richard Power".

Richard Power

COMMISSION
CLERK

SEP 26 PM 3:46

RECEIVED-FPSC

WARNING

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

Timolyn Henry

From: Ruth McHargue
Sent: Tuesday, July 17, 2007 10:51 AM
To: Timolyn Henry
Cc: Matilda Sanders; Cheryl Bulecza-Banks
Subject: FW: E-Form Other Complaint TRACKING NUMBER: 9998

Please add to docket #060606

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09029-07</u>		
DISTRIBUTION: _____		

-----Original Message-----
From: Consumer Contact
Sent: Friday, July 13, 2007 8:56 AM
To: Ruth McHargue
Subject: FW: E-Form Other Complaint TRACKING NUMBER: 9998

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH _____

Aloha black water issue.
-----Original Message-----
From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Friday, July 13, 2007 8:57 AM
To: Consumer Contact
Subject: E-Form Other Complaint TRACKING NUMBER: 9998

Complaint filed with PSC

Select County: PASCO
CUSTOMER INFORMATION

Name: Rosalie Leone
Telephone: 727 372-3665
Email: rleone@amdweb.com
Address: Association of Millwork Distributors, 10047 Robert Trent Jones Pkwy New Port Richey 34655

BUSINESS INFORMATION

Business Account Name: Rosalie Leone
Account Number:
Address: AMD, 10047 Robert Trent Jones Pkwy New Port Richey Florida 34655

COMPLAINT INFORMATION

Complaint: Other Complaint against Aloha Utilities, Inc.
Details:

Since mid day yesterday, the water in our sinks and the toilet is the color yellow. For years the water has always had a distinctive odor (horrible stink) and occasionally discolored, yellow and dark gray. I have 7 people working for me at this location and I think it is an outrage that we are not allowed to wash a dish without being subjected to that terrible smell. Several years ago I had to install a water cooler as I was concerned for my welfare and that of my employees. I have paid the bills on time and consider myself an excellent customer and still the water situation has never improved. P.S. I live in the town of Tarpon Springs and can say without hesitation we have never encountered a situation like this. Thank you and I hope you will take some action against Aloha as this has been going on too long.

Ellen Plendl

From: Notes_Control/EOG%EOG@eog.fl.gov on behalf of Charlie.Crist@eog.myflorida.com
Sent: Thursday, July 12, 2007 1:47 PM
To: Ellen Plendl
Subject: correspondence

ORIGINAL
Docket 060606-WS

audrey pietras
1521 orchardgrove ave.
Trinity, florida 34655
727--
apietras@verizon.net

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 09029-07
DISTRIBUTION: _____

Name/Firm/Company: Public Service Commission
Subject/Category:

Questions/Comments:

I wrote you before concerning Aloha Water. Everyone in the Seven Springs area is sick and tired of the delays in Aloha making improvements in the quality of the water. It's like a third world country, right here in the USA. How would you like to drink black water, and bathe & do your laundry in it? We have to pay for bottled water to drink, cook, brush teeth and give to our animal's. Our toilet's are black & we have black ring's around the tub, and the house stinks of rotten eggs. Their crooks and so is the public service commission. Someone is being paid off. This has been going on for 30 + years!! How can this company keep getting permits for new buildings, when they can't supply drinkable water. A new restaurant (Gator's) in New Port Richey was blackmailed into paying Aloha \$300,00.00 to run pipes under ST.RD. 54 to the reclaimed water pipe, even though they would hardly use it, before they would turn on their regular water to the restaurant, and they could open. The opening was delayed for month's. Every new permit should be given to Pasco county Water. There should be a halt to all new permits to Aloha until this is solved. All customers should have the option to move to Pasco water. There should be HUGE daily fine's till this is fixed. We're getting sick and our animal's are dying from it. Please, Please help us!! No one seems to be able to win with this company's owner. It's a disgrace. Blessings, Audrey Pietras

- CMP _____
- COM _____
- CTR _____
- ECR /
- GCL /
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH _____

RECEIVED-FPSC
07 JUL 27 PM 2:50
COMMISSION
CLERK

Timolyn Henry

ORIGINAL

From: Ruth McHargue
Sent: Monday, June 11, 2007 12:08 PM
To: Timolyn Henry
Cc: Matilda Sanders; Cheryl Bulecza-Banks
Subject: Docket file 060606

Please add to docket file 060606

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

From: Consumer Contact
Sent: Thursday, June 07, 2007 10:43 AM
To: Ruth McHargue
Subject: FW: E-Form Other Complaint TRACKING NUMBER: 9516

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Thursday, June 07, 2007 10:39 AM
To: Consumer Contact
Subject: E-Form Other Complaint TRACKING NUMBER: 9516

Complaint filed with PSC

Select County: PASCO
CUSTOMER INFORMATION

Name: AMANDA CROCE
Telephone: 727-534-5846
Email: ACROCE@TAMPABAY.RR.COM
Address: 7223 OTTER CREEK DRIVE NEW PORT RICHEY 34655

BUSINESS INFORMATION

Business Account Name: JOSEPH & AMANDA CROCE Account Number: 46883
Address: 7223 OTTER CREEK DRIVE NEW PORT RICHEY Florida 34655

COMPLAINT INFORMATION

Complaint: Other Complaint against Aloha Utilities, Inc.
Details:
Thursday, June 07, 2007

To Whom It May Concern:

My family and I have resided in the Nature's Hideaway subdivision for over three years. During that time, the quality of our tap water has deteriorated to a level that is now totally unbearable, which is the subject of this complaint. During most of our residency, frequently our tap water has run out visibly discolored, sometimes totally black (at least four times a week). There have been times over the last three years when the quality has improved slightly, but it has never been acceptable. However, over the last month, we have been dealing with an extremely offensive sulfuric stench. The stench is so bad that the area of the house that we run the water in smells horribly for a time after the water is turned off.

Of course, I would like to assume that this horrific odor results from excess levels of hydrogen sulfide in the wells, as I have read. However, the smell also strongly resembles that of sewage, and each day as we brush our teeth, wash our dishes and clothing, and take

CMP _____
COM _____
CTR _____
ECR | _____
GCL | _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH _____

showers, I can't help but wonder if my family is dealing with a dangerous health risk. It greatly concerns me that neither the state nor the county has taken action aside from reported considerations to remove Aloha's franchise. Promises from Aloha to correct the problem, even after years of complaints such as mine, have also gone undelivered.

Aloha only serves about 25,000 households. I am quite sure that if the area of Aloha's coverage was much greater, this problem would have been corrected years ago. I challenge you who are reading this complaint to put yourself in a situation such as mine. In addition to the situations I listed above, I am embarrassed to entertain guests, even for dinner, in my home. I am also wasting extra money on my water bill, as I must turn on my tap and leave it running in hopes that the smell and color will subside, each and every time I turn it on. This doesn't say much for water conservation, which is preached to us at every turn.

I will continue to follow more closely what is taking place between Pasco County and Aloha. I am going to contact all of the Bay Area's television stations, and I am going to post a copy of this complaint with all of them. The conditions I am enduring in my home are abhorrent, and no family should have to deal with a situation such as this, which is not being corrected for reasons none other than red tape.

Sincerely,

Amanda Keathley Croce
Homeowner

Richard L. Power

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006
email db_design@hotmail.com

RECEIVED PSC
07 APR 17 AM 10:19
COMMISSION
CLERK

April 9, 2007

Pasco County Commissioners
West Pasco Government Center
Suite 230, Conference Room B
7530 Little Road
New Port Richey, FL

References:

Aloha Utilities / PSC Agreement; Docket 060606; PSC Order PSC-06-0270-AS-WU
Pasco County Ad-hoc Ordinance against Aloha Utilities

Dear County Commissioners:

I live at 1534 Haverhill Drive, Trinity, FL (Seven Springs area) commonly known as the 'smelly-black water' district.

I have two requests:

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL 1
- OPC _____
- ROA _____
- SCR _____
- SGA _____
- SEC _____
- OTH _____

1. I am asking the Commissioners to suspend all building permits in the Aloha Utilities territory. It is well known by the Commissioners and all parties concerned that Aloha is extremely over pumping their wells to meet the high water demands for new development. Which in time will start to create massive sink holes in our area from the over pumping of their wells. The Commissioners know this and should put a stop to all new development until the water problem in our area is resolved.
2. I am requesting that the Commissioners re-instate the Paso / Aloha Ordinance which was approved by the Ad-hoc committee and to modify the ordinance to include Anion Exchange processing and any other process which will remove all of the Hydrogen Sulfide from our water. And a time table should also be included in which Aloha will have the correct process in place from the time the PSC agreement was approved or the County will take over Aloha's Seven Springs territory. The Commissioners should NOT cave in because of Aloha's and their attorneys' threats or intimidations.

The Better Water Now Committee and myself have asked many times that Aloha Utilities provide a project plan with time lines and details of the project. And all we get are legal mumbo-jumbo words on quarterly reports which states they are behind because Pasco County Utilities is not providing the required documentation that Aloha Utilities needs to complete the project. Aloha is still up to their old tricks of blaming everybody else except themselves.

WARNING

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

Pasco County Commissioners ... Page 2

The Aloha customers in the Seven Springs (Trinity) area will never see a good-quality water product unless the Pasco Commissioners step in and take over Aloha's territory.

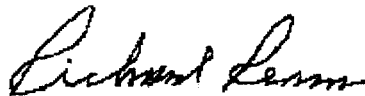
I have asked the PSC to verify that Aloha Utilities is indeed talking to the engineering firms, outside consultants, the equipment companies, and that Pasco County Utilities is

not providing the required documentation and so far the PSC has refused to verify these items. Because we all know that Aloha Utilities and their attorneys control what the PSC does. So we, the victims of Aloha Utilities, have no proof that Aloha Utilities is doing anything to solve our water problems. The 3 quarterly reports submitted to the PSC say absolutely nothing, because there is no documented proof, except to blame Pasco County Utilities for not providing the required information to purchase water from Pasco County Utilities.

It is the responsibility of the Pasco Commissioners to protect us from private utilities who refuse to provide a quality product, who hide behind their attorneys, and who hide behind antiquated water laws.

Thanks for your time.

Sincerely,



Richard L. Power
Electronic Signature for Purposes of Expediting Response

Copies to:
Governor Chist
Florida Attorney General, McCullum
Senator Fasano
PSC (3 ... Rosanne, please make this letter part of Docket 060606)
FDEP

Richard Power
1534 Haverhill Drive
New Port Richey, FL 34655

WARNING

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

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-

RECEIVED
07 APR -5 PM 3:25
COMMISSION
CLERK

DATE: April 6, 2007
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Rosanne Gervasi, Senior Attorney, Office of the General Counsel *RG*
RE: Docket Number 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Please place the attached correspondence on the correspondence side of the above-referenced docket. Thank you.

RG/pe

Rosanne Gervasi

From: Wayne Forehand [wayneforehand@verizon.net]
Sent: Wednesday, April 04, 2007 11:50 AM
To: Troy Rendell; Tim Devlin; Rosanne Gervasi; Marshall Willis; Blanca Bayo PSC Staff; Michael Cooke; Lisa Edgar
Cc: Steve Reilly OPC; GIORDANO.GREGORY.S11; Mike Fasano
Subject: from Aloha customer
Attachments: Black_Water.wav; Black_Water_2.jpg; Black_Water_1.jpg

To the Public Service Commission,

I am hearing numerous black water complaints in the community similar to the following and just yesterday had another terrible incident of the worst black water seen here in my home. It was on Tuesday afternoon and I suspect that over the weekend, Aloha allowed the chlorine dispensing system run empty. It then takes approximately two days for the unchlorinated high hydrogen-sulfide water to get to my home dumping black water into my kitchen sink.

I ask that the PSC make a public record of the continued neglect by this utility and step up to the fact that the utility is also delaying the process in implementing the new automatic system required by the settlement.

We need some help, this is getting worse rather than better!

From: Wayne Forehand in Trinity Florida!

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

From: FASANO.MIKE.WEB

To: HUNTER.CHRISTINE.S11

Cc: Wayne Forehand ; wayneforehand@verizon.net ; blackwarm@tampabay.rr.com

Sent: Wednesday, April 04, 2007 9:29 AM

Subject: Christine

Please forward via email the email and pictures to the Public Service Commissioner and to Steve Reilly at Public Council.

Thanks and God bless.
Mike

From: blackwarm@tampabay.rr.com [mailto:blackwarm@tampabay.rr.com]

Sent: Tuesday, April 03, 2007 3:50 PM

To: FASANO.MIKE.WEB

Subject: "Oh Black Water, Keep on Rollin"

Senator Fasano,

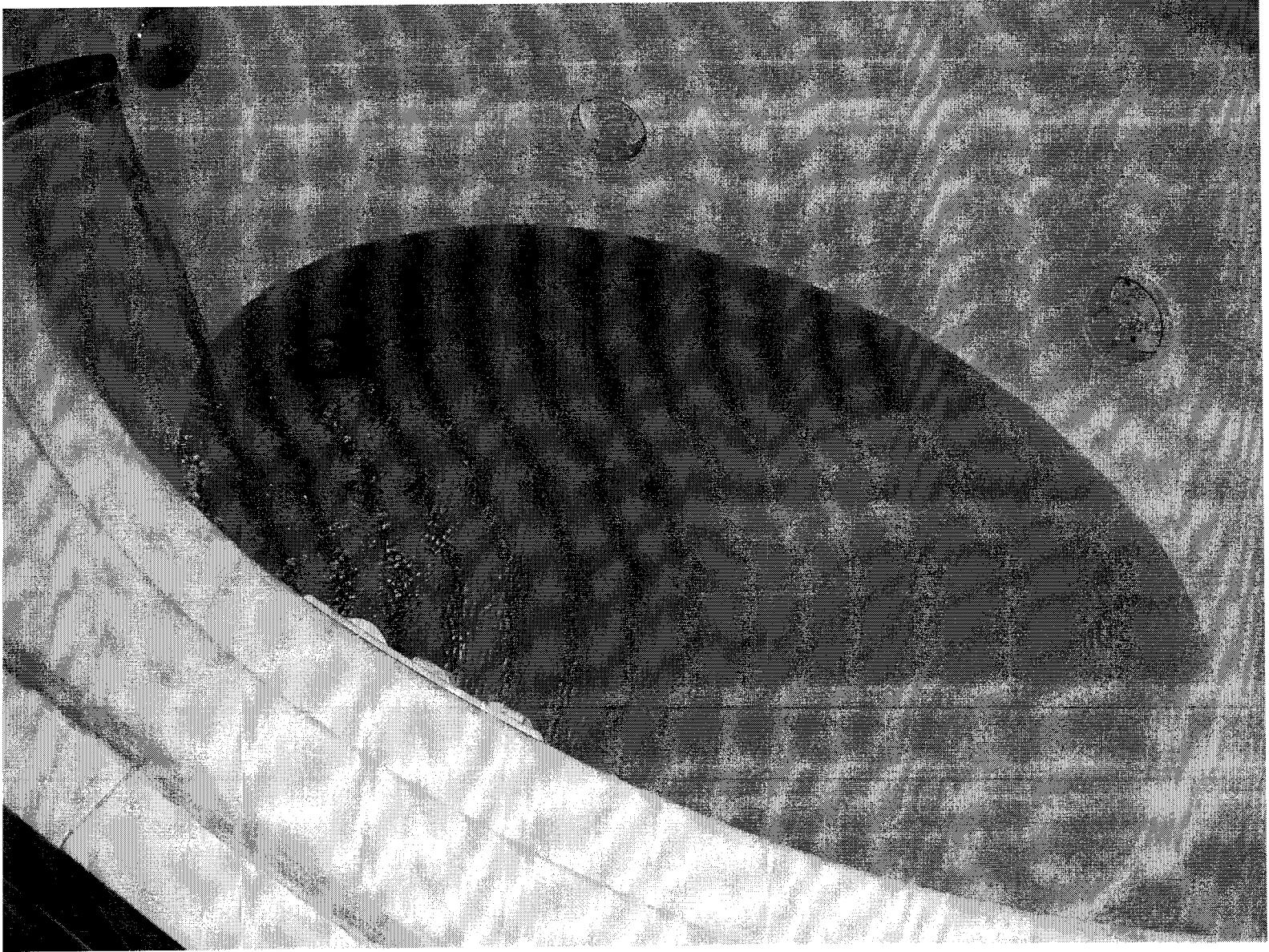
I live in the "Aloha Utilities" district. I am greatly dismayed at the settlement with Aloha. Since this settlement has occurred my water has gone from sometimes disgusting and black to consistently disgusting and black. It has really only been within the past one to two years that it has become progressively worse. My children must take showers all of the time since I cannot fill the tub with clean water. My dishes must often be washed after washing them in

the dishwasher. My clothes often have to be washed twice to remove the grit and to avoid that "faded-yet-really-dirty-look". We use so much more water than is necessary because we are washing everything twice. This results in poor environmental practice and in rising water bills. I have spent a fortune over the past 13 years in purchasing bottled water as I would never dream of cooking with or drinking Aloha's version of 21st century water. Please see the attached pictures of my most recent attempt at allowing my son to take a bubble bath. Then, listen to his little voice talk about the water.

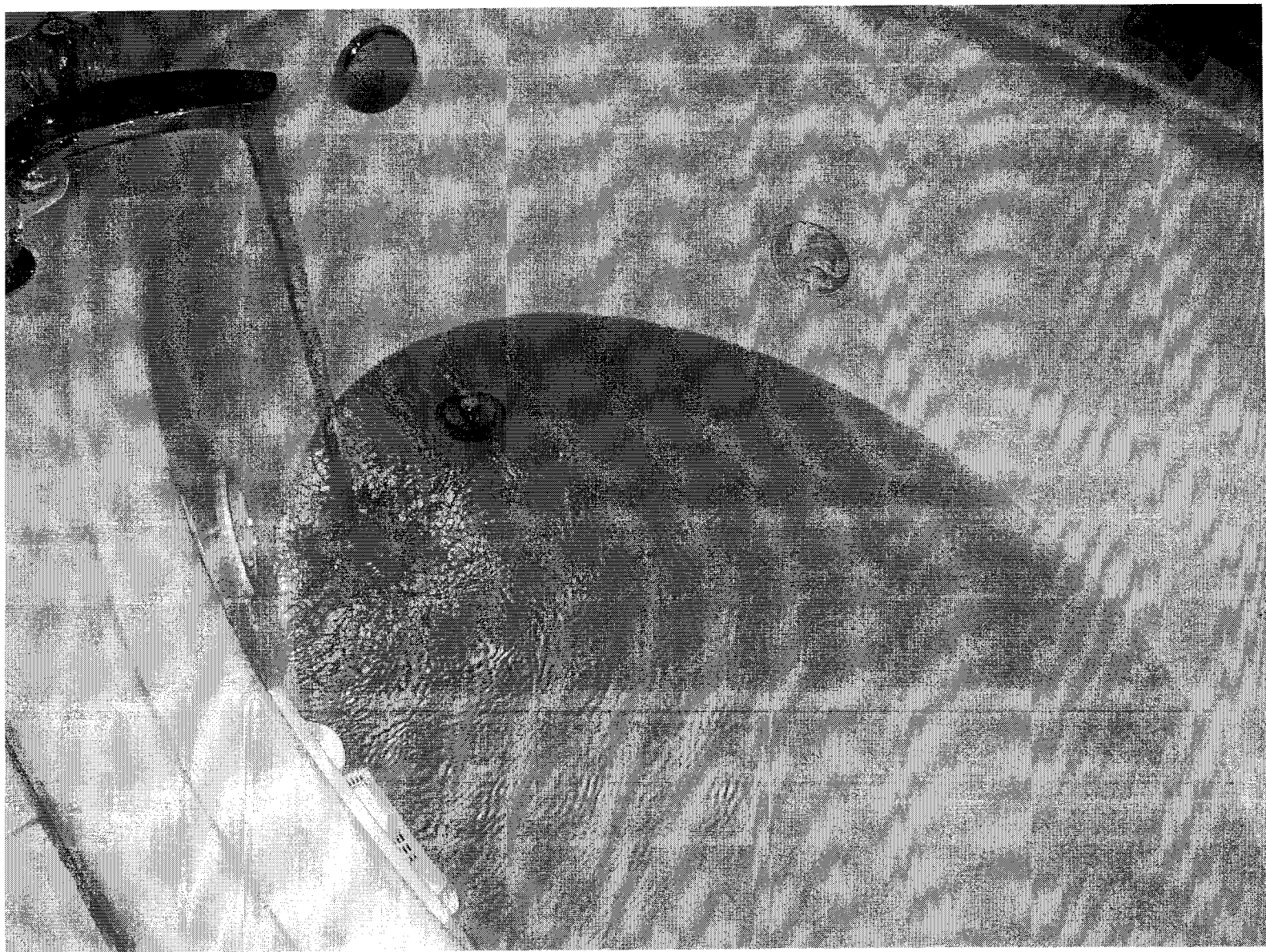
What has happened to make the water worse since the settlement occurred? Why can't we fire a private company like Aloha and begin getting our water through Pasco County as we should be anyway? I realize that you are working to have the state absorb the money it will take to assist Aloha with modifying the current hydrogen-whatever situation; however, what if you can't make that happen. Do I still have to pay, and perhaps pay more, for barely usable water?

Whatever happened in the settlement has produced more of a disaster for our homes. I know your heart was in the right place, but I feel that you have moved on to more "elect-able" issues, and we are left with the same, if not worse, situation as we had - very expensive black and smelly water. And, might I add once again, my water bill has consistently risen with the amount of black and grit in it. I guess I am charged by the acre...?

Sincerely,
Dr. Mary C. Black



CONSUMER



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