

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

Public Service Commission

October 1, 2008

RECEIVED-FPSC
08 OCT - 1 PM 3:18
COMMISSION
CLERK

Mr. Gene Rapp
11291 NW 113th Court
Chiefland, FL 32626

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 06782-08
DISTRIBUTION: _____

Re: DOCKET NO. 080268-WS - Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc.; amendment of Certificates 426-W and 362-S held by FIMC Hideaway, Inc.; and amendment of Certificate 428-W and cancellation of Certificate 366-S held by Par Utilities, Inc.

Dear Mr. Rapp:

Thank you for speaking with me and for writing the Florida Public Service Commission regarding the Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc. I am writing to confirm my conversations with you, in which you indicated that you did not wish to file a formal protest regarding this application.

Although you do not wish to file a formal protest, please know that your letter has been placed in the correspondence side of the docket file in this case, and your concerns remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and advise you as to when the Commissioners will consider this matter at the Agenda Conference.

Sincerely,

Jean E. Hartman
Senior Attorney

JEH:th

cc: Office of Commission Clerk
Division of Economic Regulation (Brady)

COMMISSIONERS:
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STATE OF FLORIDA



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

Public Service Commission

September 30, 2008

James Ford
11150 NW 114th Place
Chiefland, FL 32626

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>06782-0</u>		
DISTRIBUTION: _____		

RECEIVED-FPSC
08 OCT - 1 AM 10:34
COMMISSION
CLERK

Re: DOCKET NO. 080268-WS - Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc.; amendment of Certificates 426-W and 362-S held by FIMC Hideaway, Inc.; and amendment of Certificate 428-W and cancellation of Certificate 366-S held by Par Utilities, Inc.

Dear Mr. Ford:

Thank you for speaking with me and for writing the Florida Public Service Commission regarding the Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc. I am writing to confirm my conversation with you of September 26, 2008, in which you indicated that you did not wish to file a formal protest regarding this application.

Although you do not wish to file a formal protest, please know that your letter has been placed in the correspondence side of the docket file in this case, and your concerns remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and advise you as to when the Commissioners will consider this matter at the Agenda Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean E. Hartman".

Jean E. Hartman
Senior Attorney

JEH:th

cc: **Office of Commission Clerk**
Division of Economic Regulation (Brady)

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

An Affirmative Action / Equal Opportunity Employer

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

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

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Public Service Commission

September 30, 2008

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>06782-08</u>		
DISTRIBUTION: _____		

RECEIVED-FPSC
08 OCT - 1 AM 10:34
COMMISSION
CLERK

Mr. Nelson G. Capelli
11190 NW 114th Place
Chiefland, FL 32626

Re: DOCKET NO. 080268-WS - Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc.; amendment of Certificates 426-W and 362-S held by FIMC Hideaway, Inc.; and amendment of Certificate 428-W and cancellation of Certificate 366-S held by Par Utilities, Inc.

Dear Mr. Capelli:

Thank you for speaking with me and for writing the Florida Public Service Commission regarding the Joint Application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc. I am writing to confirm my conversation with you of September 26, 2008, in which you indicated that you did not wish to file a formal protest regarding this application.

Although you do not wish to file a formal protest, please know that your letter has been placed in the correspondence side of the docket file in this case, and your concerns remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and advise you as to when the Commissioners will consider this matter at the Agenda Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean E. Hartman".

Jean E. Hartman
Senior Attorney

JEH:th

cc: Office of Commission Clerk
Division of Economic Regulation (Brady)

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

Fred Loughmiller
11330 NW 112th Terrace
Chiefland, FL 32626

August 15, 2008

CERTIFIED MAIL – RETURN RECEIPT

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Legal Notice Application for
Transfer of Facilities
(Section 367.071, FL statutes)

Ref: WasteWater Compliance Inspection Report
Springside MHP WWTF-FLA011650 Letter of Non-Compliance.
Warning Letter #WL-08-018-DW-38-NED

Sirs:

The purpose of this letter is to express objections by the Springside Subdivision Homeowners to the application for the transfer of the water and waste water facilities to FIMC Hideaway from Par Utilities Inc. The following are our specific reasons for the objections.

The Homeowners first became aware that the utility had been sold when we received a water bill from FIMC Hideaway with a note saying that it had been sold 30 days prior. We were not aware that the utility had been up for sale. To our knowledge, the notice for sale was not advertised or published in any local paper. Par Utility, the former owner, did not inform the Springside residents prior to the sale.

Florida DEP personnel conducted a compliance inspection of the Springside wastewater facility. Several non-compliance discrepancies were noted and rule violations. All of these discrepancies and several others were found during the Compliance Evaluation Inspection and documented in letters – #Springside MHP WWTF – FLA 011650, Warning Letter #WL-08-018-DW-38-NED.

None of these discrepancies should have existed in the first place, but they certainly should have been corrected immediately after the second reminder. The residents of Springside feel strongly that FIMC Hideaway is not concerned with our health or with complying with the rules that the Florida Health Dept and DEP have set forth.

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08 AUG 20 AM 9: 09

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CLERK

080268

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<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO.	06782-08	
DISTRIBUTION:	ELA, OCL	

Potable Water – System ID: 2381409 Springside Subdivision.

There are two wells that service Springside subdivision. On or about 11/15/07, we had an outage and were operating on the secondary pump when it failed. The primary pump was out of service and we were told it had to be pulled and replaced, but before a contractor could be called, Mr. McBride had to give his approval for this expenditure. This took several days. In the meantime, the operator opened a crossover valve from Hideaway Subdivision to supply water to Springside while our wells were out of service. Springside was not issued a written Boil Water Notice at that time or during any prior outages.

On 11/30/07 Fred Loughmiller filed a complaint with PSC via computer online, Case Ref# 760476W. The complaint was that an underground leak had not been repaired for nine days. The operator, Lonnie Parnell, was aware of the leak and said that Mr. McBride had to give him approval before he could fix it.

After this complaint was made, PSC sent a letter stating that the utility owner would contact Fred within three weeks. After three weeks passed with no contact Fred called PSC again. PSC said they would contact the owner again. The owner never made contact with Fred. Again, it seems Mr. McBride does not abide by rules, compliance directives or orders from PSC or DEP.

Water Tank – According to the rule Ms Joni Petry of DEP stated, the Springside Water tank must be cleaned annually, not just flushed. Some residents who have lived for many years by the water tank have never seen it cleaned. In 2007 Fred Loughmiller questioned the operator, Lonnie Parnell, about cleaning the tank. Lonnie stated he has never had to clean it. The DEP rule also states that the tank must be inspected every five years. 2008 is the five-year period and inspection is due. This can be a health risk if not cleaned.

2006 Drinking Water Report – On 12/21/06 Ms Joni Petry of DEP sent a non-compliance letter to Par Utilities showing that a sulfate test revealed 465.04 mg/L, exceeding the MCL of 250 mg/L. That was nearly double the MCL allowed. A notice form was included with this letter for Mr. Parnell to fill out explaining what happened. The completed form was to be mailed to all the residents of Springside, but no one received this form. It was about this time that residents started smelling a strong rotten egg odor in the water. This odor persists today.

2007 Annual Drinking Water Quality Report – Springside residents were informed by a letter dated 7/30/08 admitting to a violation of a secondary contaminant, "sulfate". The MCL (maximum contaminant level) allowed is 250 mg/L. The letter included the health effects, such as diarrhea etc. associated with ingestion of sulfates above the MCL. The June 10, 2008 sampling showed an even higher level of 628 mg/L. Springside residents have been drinking water with this high level of contaminants for 2 years. A letter dated 7/30/08 from FIMC said they are working with Florida Rural Water Association to resolve this problem. However, no one has been seen working on or around the water plant. This can be a health risk and should be corrected soon.

Boil Water Notices – Longtime residents of Springside cannot ever recall receiving a written Boil Water notice before getting a notice on 6/10/08. Not issuing a written notice when the water pressure is lost is a blatant violation of the rule. Again this can be a health risk.

Rate Increases – Mr. McBride included a paragraph in the 2007 Annual Drinking Water Report “that sometimes improvements need to be made that will benefit the customers. These improvements are sometimes reflected as rate structure adjustments. Thank you for understanding”. Springside residents feel this can be interpreted to mean he may want us to pay for the maintenance costs he has incurred. We feel that maintenance is not the same as improvements. It is a cost of doing business.

We are now paying a high rate for water and sewer that we feel is not safe to drink.

The water base fee is \$8.07

The water use fee is gal. X .00282

Base sewer fee is \$16.50

Sewer use fee is gal. X .00533

Our new water bills do not itemize the use fees so that we can check for mathematical errors. There have been several times when some residents have found large errors.

We ask that PSC review Parnell Utilities Inc. requests for rate increases from year 2004 to present. If prior rate increases were justifiable, we would appreciate a letter stating this. Springside homeowners request a public hearing with PSC in the event the owner asks for a future rate increase.

We would like to thank DEP for getting involved with the problems associated with both Springside and Hideaway Subdivisions. They came out here and saw firsthand the reality of a neglected treatment plant. They were helpful in explaining the rules that govern the operation of a water and wastewater utility and kept us informed.

Please accept and file these objections.

Sincerely,

Fred Loughmiller

Cc: Mr. Robert McBride
FIMC Hideaway, Inc.
P.O. Box 357246
Gainesville, FL 32635-7246

Signatures of Springside Residents Agreeing to these Objections

Name	Address	Phone#
<u>Inga Py</u>	<u>11291 NW 113 CT</u>	<u>352-490-9672</u>
<u>Betty Butler</u>	<u>11211 NW 112th Terrace</u>	<u>352-493-7351</u>
<u>Claudette L. Apthorn</u>	<u>11311 NW 112th Terrace</u>	<u>352-493-7755</u>
<u>Kay Dietrich</u>	<u>11190 NW 112 PL.</u>	<u>352-490-7848</u>
<u>Guy Benedict</u>	<u>11499 NW 112th PL</u>	<u>352-493-2454</u>
<u>Caroline Norton</u>	<u>11311 NW 113 CT</u>	<u>352-490-5437</u>
<u>Donald E. Norton</u>	<u>11311 NW 113 CT</u>	<u>352-490-5437</u>
<u>Larinda Norton</u>	<u>11311 NW 112th Terrace</u>	<u>493-7755</u>
<u>James W. Burton</u>	<u>11417 NW 112th TERRACE</u>	<u>490-7234</u>
<u>Daniel L. Burton</u>	<u>11417 NW 112th TERRACE</u>	<u>490-7234</u>
<u>Spuy Allen</u>	<u>11390 NW 112th TER</u>	<u>352-493-80539</u>
<u>Doris Moss</u>	<u>11416 NW 112th TER</u>	<u>352-490-4869</u>
<u>Thommy</u>	<u>11465 NW 112th</u>	<u>727-510-6107</u>
<u>Maria Murphy</u>	<u>11444 NW 112th ter</u>	<u>352-493-1735</u>
<u>Carl W. Valand</u>	<u>11384 NW 113 ST</u>	<u>352-493-2243</u>
<u>Judy Didsell</u>	<u>11384 NW 113 ST</u>	<u>352-493-2243</u>
<u>Ronald R. Zombo</u>	<u>11331 NW 112 J.</u>	<u>440 824 6680</u>
<u>Jeanne D. May</u>	<u>11465 NW 112th J. W.</u>	<u>727-480-0834</u>
<u>John J. Martin</u>	<u>11415 NW 113th ST</u>	<u>352-535-5666-5907</u>
<u>Ilona Boerning</u>	<u>11230 NW 113th CT</u>	<u>352-493-1375</u>
<u>Butch Hanning</u>	<u>11230 NW 113th CT</u>	<u>352-493-1375</u>
<u>Charles + Margaret Keith</u>	<u>11348 NW 112 PL</u>	<u>352-493-1500</u>
<u>William R. Bach</u>	<u>11414 NW 113th ST.</u>	<u>352 493 2825</u>
<u>Lynne J. Norton</u>	<u>11324 NW 113th PL</u>	<u>(352) 493-9545</u>
<u>Carl P. Faud</u>	<u>11347 NW 113th PL</u>	<u>490-9580</u>

080268

RECEIVED-FPSC

08 AUG 19 AM 9:28 August 16, 2008

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

COMMISSION
CLERK

FPSC, CLK - CORRESPONDENCE
<input type="checkbox"/> Administrative <input type="checkbox"/> Parties <input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 06782-08
DISTRIBUTION: BCR, GLL

Subject: The Application for Transfer of Facilities of Springside Water and Waste Water Systems to FIMC Hideaway, Inc.

To Whom It May Concern:

The residents of Springside object to this application for the following reasons.

Hideaway's water and wastewater facilities have deteriorated to the point of being inoperable. We fear this will happen at Springside.

Bob McBride informed Springside that he intended to join Hideaway's and Springside facilities, operating solely out of Springside. We feel that these are two separate water and wastewater facilities and should remain that way.

There have been several repairs made in Springside that took unbelievable amounts of time to complete. The entire community's water was shut down. A boil order (verbal) was issued for two days, then lifted with no chemical certification issued indicating that our water's chemistry was within allowed state requirements.

Bob McBride was questioned if he had sufficient funds in reserve to handle any major problem. His answer was yes.

There are shut off valves around Springside to isolate areas so that the entire community would not have to lose water. None of these valves are operable and must be fixed.

FIMC billing has many of Springside residents confused. FIMC doesn't show the cost of water per gallon and he bills as though the bill is late upon receipt. FIMC should show the current amount and have a separate statement (if this bill is not paid by X-Y-Z, a late charge of \$A-B-C will be added to your next bill). Currently, FIMC charges a \$5.00 late fee which we feel is too much.

Many of our residents have tried to phone Mr. McBride. He does not answer his phone and will not respond to messages left on his answering machine. Mr. McBride has been told repeatedly that he must return our calls. This proves that he doesn't have good business sense. All he's concerned about is getting paid on time.

Under State Law our water pressure vessel must be cleaned and sanitized periodically. To our knowledge this has never been done.

Springside residents have not been issued test reports of the required water quality testing.

There is a water valve between Hideaway and Springside that is currently open so that Hideaway can use our water. This valve was opened by a resident of Hideaway (Bill Campbell). We feel that this valve should be closed permanently.

The Clubhouse in Hideaway is located adjacent to the wastewater treatment plant. (which has an awful odor) The state must have a law covering how close a building for this purpose can be located to a wastewater treatment plant. This building should be condemned and quarantined for any use by human beings.

**Sincerely,
The residents of Springside Home Owners.**


GENE RAPP, President 352-490-9672


BETTY BUTLER, Treasurer 352-493-7351


CLAUDETTE LAFORTUNE, Secretary 352-493-7755


KEN DIETRICH, Architectural Com. 352-490-7848


GARY BENEDICT, Architectural Com. 352-493-2454

**CC: FIMC Hideaway, Inc.
P. O. Box 357246
Gainesville, FL 32635
Attn: Mr. Robert McBride**

080268

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 06782-08		
DISTRIBUTION: ECR, GEL		

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08 AUG 12 AM 11:19

COMMISSION
CLERK

COMMUNICATION CENTER
08 AUG 12 AM 7:32

8-10-08

TO THE OFFICE OF COMMISSION CLERK,

IN RESPONSE TO THE ENCLOSED LETTER REGARDING
THE APPLICATION TO TRANSFER THE WATER AND WASTEWATER
SYSTEMS FROM PAR UTILITIES, INC. TO FIMC HIDEAWAY, INC. IN
LEWY COUNTY, FL.

MY WIFE & I STRONGLY OBJECT TO THIS. MR. McBRIDE
HAS NOT KEPT UP WITH HIDEAWAY'S WATER SYSTEM AND
WE DO NOT BELIEVE THAT IF HE WILL NOT BE DILIGENT
TO KEEP UP ONE SYSTEM - HE SURE WILL NOT KEEP UP TWO

WE HAVE HAD 3 TO 4 OCCASIONS IN THE LAST 90-120
DAYS WHERE OUR WATER HAS BEEN OFF. WE'VE HAD TO
BOIL WATER FOR SEVERAL DAYS EACH TIME.

WE FEAR FOR OUR HEALTH AND WELL BEING DUE TO
GROSS NEGLIGENCE.

I SINCERELY HOPE THE STATE OF FL. WILL STEP IN
AND DO SOMETHING OTHER THAN WITH HOLDING PERMITS TO
STOP THIS AND GIVE US PEACE OF MIND ABOUT OUR WATER.

I ALSO WOULD LIKE TO HEAR FROM THE FLORIDA
PUBLIC SERVICE COMMISSION ON WHAT IS GOING TO BE
DONE TO REMEDY THIS SITUATION.

A COPY IS BEING MAILED TO MR. McBRIDE AS WELL.

THANK YOU FOR YOUR DILIGENCE AND FOR A
SPEEDY REPLY.

THE PROBLEM HAS BEEN ON GOING FOR AT LEAST
AS LONG AS I'VE LIVED HERE. SINCE MAR. 2001, IT HAS
WORSENERED IN THE LAST 6 MONTHS TO A YEAR.

AGAIN THANK YOU FOR TAKING CARE OF THIS.

MR. NELSON G. & MARGARET CAPELLI
11190 N.W. 114TH PL
CHIEFLAND, FL. 32626

Robert McBride
Page 3
July 17, 2008

Application for Transfer of Facilities
(Section 367.071, Florida Statutes)

LEGAL NOTICE

Notice is hereby given on 7/28/08, pursuant to Section 367.071 Florida Statutes, of the application for transfer from Par Utilities, Inc. to FIMC Hideaway, Inc., of the Springside water and wastewater systems providing service to the following described territory in Levy County, Florida:

Township 11 South, Range 13 East, Section 25. The North 75 feet of the South 1/2 of the SE 1/4 of said Section 25, and the NW 1/4 of the SE 1/4 of said Section 25, less the North 790 feet of the West 760 feet of the North 1/2 of the SE 1/4, and the West 200 feet of the East 600 feet of the North 600 feet of the North 1/2 of the SE 1/4 of said Section 25.

Any objection to the said application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

Mr. Robert McBride
FIMC Hideaway, Inc.
P.O. Box 357246
Gainesville, FL 32635-7246

080268-WS

RECEIVED-FPSC
Untitled
08 AUG -4 AM 10: 12

July 31, 2008

James B. Ford
11150 NW 114th PL.
Chiefland FL. 32626

COMMISSION
CLERK

08 AUG -4 AM 7: 35

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL. 32399-0850

CONSUMER

Mr. Robert McBride.
FIMC Hideaway, Inc.
PO Box 357246
Gainesville, FL. 32635-7246

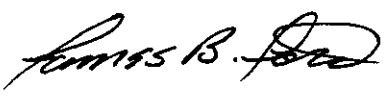
To all concerned, I have been a resident Property Owner of HideAWay Mobile Home Community for almost Six (6) years. In that time we have never had a "Trustworthy" Water System.

The System has been plagued with one problem after another. Until we got the EPA involved, The "Boil Water Notice" required after a loss of pressure or repairs was a piece of cardboard fastened to Utility Poles at the street corners. We now get hand delivered notices to Boil and to Recend Boil. Thanks to EPA and Thank you Mr. McBride, It appears you are showing some concern for the people who entrust their health to the Water you supply as Potable Water.

A lot of the problems we have endured were Emiloyee Neglience, So my only objection to you owning another Water and Sewage Facility is.. If you cant manage one (1) facility and its employees, How do you expect the Resident's of HideAWay and Springside to confide in you to operate two Facilities with the problems that both Systems have at this time?.

I wish you the best of luck, and as a customer I will do all I can to help you supply both communities with a quality Water and Sewage System.

James B. Ford



Robert McBride

Page 3

July 17, 2008

Application for Transfer of Facilities
(Section 367.071, Florida Statutes)

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Mr. Robert McBride
FIMC Hideaway, Inc.
P.O. Box 357246
Gainesville, FL 32635-7246