

Katie Ely

080247

**From:** Ruth McHargue  
**Sent:** Friday, April 03, 2009 11:46 AM  
**To:** Katie Ely  
**Cc:** Dorothy Menasco; Ann Cole; 'Customer\_Advocacy\_Southeast@att.com'  
**Subject:** FW: Docket No. 080247-SU Utilities Inc. of Eagle Ridge, Lee County, Fl. facilities

Please add to docket file.

**From:** Consumer Contact  
**Sent:** Friday, April 03, 2009 8:38 AM  
**To:** Ruth McHargue  
**Subject:** FW: Docket No. 080247-SU Utilities Inc. of Eagle Ridge, Lee County, Fl. facilities

To CLK

**From:** [mailto:diar@netscape.com]  
**Sent:** Thursday, April 02, 2009 9:21 PM  
**To:** Consumer Contact  
**Subject:** Docket No. 080247-SU Utilities Inc. of Eagle Ridge, Lee County, Fl. facilities

Dear Commissioners: As the treasurer of Eagle Ridge Lakes II Condo Association, which is a customer of Utilities Inc. of Eagle Ridge, please consider the following comments from our Association relative to the utility requested final rates.

1. While we agree the Utility needs to increase revenues, we do not feel that an increase of 43% is justified for residential and general services. In addition, Miscellaneous Service requested charges reflect an extraordinary 40% to 320% increase which we also feel is not justified.
2. Please consider the fact that we are in the midst of a severe economic downturn which may be ongoing for many years. Also, please consider the fact that many of our residents are on fixed incomes and that lower interest rates have reduced incomes considerably. Also, consider the fact that inflation is practically non-existent and that we are probably entering a pro-longed deflationary period.
3. All things considered, including the Utility's need for revenue, we would urge you to grant no more than a 7 to 12 percent final rate increase.
4. Within a year we should know the future direction of our economy, plus or minus, and be able to proceed accordingly.

Thank you for your consideration and service to our State. Respectfully,  
 Armen Gederian-Treasurer  
 Eagle Ridge Lakes II Condo Association  
 14010 Eagle Ridge Lakes Drive-Unit 201  
 Fort Myers, Florida 33912  
 Phone: 239-415-7271

P.S. A response, acknowledging receipt of this email will be greatly appreciated.

Netscape. Just the Net You Need.

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
 DOCUMENT NO. 11797-08  
 DISTRIBUTION: ECRGA

4/6/2009

080247

RECEIVED--FPSC

March 23, 2009

09 MAR 30 AM 9: 27

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

COMMISSION  
CLERK

09 MAR 30 11 22 AM  
COMMUNICATIONS CENTER

Attn: Commissioners Lisa Edgar Pope, Matthew Carter, Nancy Argeziano,  
Karen McMurrian, and Jonathan Skop

FPSC, CLK - CORRESPONDENCE  
Administrative Parties / Consumer  
DOCUMENT NO. 11797-08  
DISTRIBUTION: ECG GU

Re: Recent Price Increase of Utilities, Inc.

Dear Commissioners:

I am writing to you collectively since at least the majority of you voted in favor of Utilities Inc. receiving an astronomical increase in their rates. A letter received by me from Utilities Inc. notified the increase was 84.64%. When the per thousand gallon rate jumps from \$.76 to \$2.51, that is certainly NOT 84.64%; it is closer to 360%!

The following is taken from the attachment received with the increase letter:

	Monthly Utility Requested Final Rate	Monthly Commission Approval Final Rate
Gallonge Charge per 1,000 gallons		
0-5,000 gallons (per 1,000 gallons)	\$1.30	\$1.67
5,000-10,000 gallons (per 1,000 gallons)	\$2.00	\$2.09
Over 10,000 gallons (per 1,000 gallons)	\$2.00	\$2.51

Can you please tell me why you would approve a greater amount than Utilities Inc. requested?

I cannot find the words to express how outraged I am. First, the St. John's Water Management agrees to let the Niagara Bottling Company remove millions of gallons of water from the aquifer for their monetary gain THEN the public receives this unbelievable increase.

Yes, I do realize that the request was put into play last year and the company needed to increase rates because of recent building and repairs. However, where was your common sense when you voted on this? People are losing their jobs; the economy is in the dumpster. Thanks for kicking a dog when he's down.

I implore you to reconsider your action and change the rate increase to a number that is fair.

Very truly yours,

Waldo & Klazina J Brun  
12415 Lakeview Ln  
Clermont FL 34711  
ORLA  
27 MA

WALDO & KLAZINA BRUN  
12415 LAKEVIEW LANE CLERMONT FL

080247

From: Robert H. Oudkerk  
7220 Twin Eagle Ln.  
Ft. Myers, FL 33912  
Ph. 239-561-9752  
e-mail: [Robma99@Embarqmail.com](mailto:Robma99@Embarqmail.com)

Ft. Myers, FL 3/12/09

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~X~~ Consumer  
DOCUMENT NO. 11797-08  
DISTRIBUTION: \_\_\_\_\_

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

RECEIVED-ENTERED  
RECEIVED-FPSC  
09 MAR 16 AM 9:25  
COMMISSION  
CLERK

**Subject: Docket No. 080247-SU, Utilities, Inc of Eagle Ridge.**

*Dear Commissioner,*

Reference to your letter dated March 9, 2009 in which you refer to the "usage cap" of tap water the following:

For apartments who do not have lawns or private pools this probably will work, however for the single family homes this discriminates them.

Example: I have a household of 2 persons (all year around). I use in the wet season on the average 2000 gallons a month.

However in the dry season (as at present, the driest season ever) I use about 5000 to 7000 gallons because of the lawn and pool. **Thus I am paying waste for the total gallon use.** For homes who have more occupants and a smaller yard they will still pay less than I do. Waste should be calculated and charged according the number of persons in the household as well as "snowbirds" vacationing there.

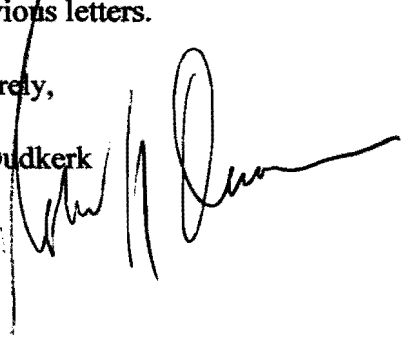
**My lawyer fully agrees with me that your approved rule does discriminate!**

I expect that you will have Utilities of Eagle Ridge change the way they charge for waste processing.

Furthermore I trust that you disapprove the rate increase especially in the light of this and my previous letters.

Yours sincerely,

Robert H. Oudkerk



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

STATE OF FLORIDA



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

## Public Service Commission

March 9, 2009

Robert Oudkerk  
7220 Twin Eagle Ln.  
Fort Myers, Florida 33912

**Re: Application for an increase in wastewater rates for Utilities, Inc. of Eagle Ridge in Lee County, Florida; Docket No. 080247-SU**

Dear Mr. Oudkerk:

Thank you for your participation in the Eagle Ridge customer meeting held on Thursday, February 19, 2009, in which you expressed your concerns about a rate increase petition filed by Utilities, Inc. of Eagle Ridge (Eagle Ridge or Utility). To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

There are many factors that affect the cost of providing service and hence, the rates charged to customers. Some factors affecting the cost of providing service include: the size and age of the utility system; the quality of the water at its source; the number of customers; and the geographic spread of the service area. During a rate case, the Commission's accountants, engineers and economists examine the financial and engineering information and publish the results of their findings in an audit report. All costs found to be imprudent or unreasonable are disallowed.

When determining appropriate wastewater rates, Commission staff takes into consideration the amount of residential water usage. Industry standards indicate that an estimated 80 percent of residential water used is collected and treated by the wastewater system. This rate-making concept applied by the Commission acknowledges that not all water is returned to the wastewater. Wastewater gallonage caps are established so that consumers are not charged for wastewater service on gallons typically used for discretionary purposes, such as washing vehicles and irrigating lawns. With respect to Eagle Ridge, the cap was previously set at 10,000 gallons based on the usage characteristics of the customers of Eagle Ridge. The utility is not allowed to charge for any wastewater gallons consumed in excess of 10,000.

*BIG LIE!*

*WHO SET THIS CAP ??*

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

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

080247

From: Robert H. Oudkerk  
7220 Twin Eagle Ln.  
Ft. Myers, FL 33912  
Ph. 239-561-9752  
e-mail: [Robma99@Embarqmail.com](mailto:Robma99@Embarqmail.com)

Ft. Myers, FL ~~22809~~

3/9/09

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

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 11797-08  
DISTRIBUTION: ECKGCL

RECEIVED-FPSC  
09 MAR 11 AM 8:18  
COMMISSION CLERK

**Subject: Docket No. 080247-SU, Utilities, Inc of Eagle Ridge.**

Dear Commissioner,

Reference to my letter of 2/3/09 and my attendance of your customer meeting held at Edison College, of at which meeting you did record my objections, I can add the following:

It is should be very clear to the commission that there were a lot of misleading information tabled by Utilities Inc. as follows:

1) During the slide show it was mentioned that they needed additional funding to pay for "expansion"!!! The question was asked "what expansion"? The answer was we need some filters for the "smell"! **THIS IS NOT EXPANSION, BUT A MAINTENANCE ITEM!!!!**

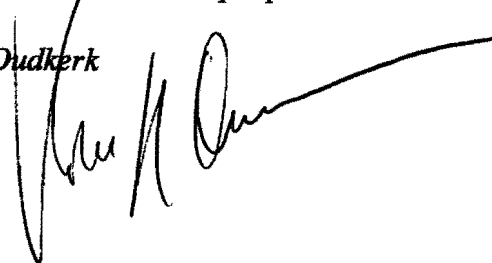
2) I mentioned that their trucks were all over town; they answered **they had only "two" people working there!!!** In other words the overhead is minimal at least.

3) Furthermore their facility is still very smelly and causes headaches and allergy; it is unacceptable that they mention "filters" after many years of complaints by the community.  
**Maybe suing them is the only solution!!!**

4) I wrote a letter to the Property Owners Association of Eagle Ridge; I did not get any answer or reply. I have (and the neighbors) a strong suspicion that "kickbacks" or "favoritism" is involved in this picture.

5) Their profit for last year was \$ 1248.-; in other words everyone got paid including bonuses and the like; as well they did not loose like most companies nowadays!! Increasing they rates by more than 40% will give them a huge profit over the backs of mostly retired fixed income people!!! I call this in this present economy "shameful" !!

Robert H. Oudkerk



080247

FPSC, CLK - CORRESPONDENCE  
Administrative Parties / Consumer  
DOCUMENT NO. 11797-08  
DISTRIBUTION: ECR, GCL

Application for an increase in wastewater rates in Lee County by  
**Utilities, Inc. of Eagle Ridge**

DOCKET NO. 080247-SU

RECEIVED-FPSC  
09 MAR -9 AM 10:07  
COMMISSION  
CLERK

Name NORMAN V. PARKS, JR.  
Address 7241 TWIN EAGLE LANE  
FT. MYERS, FL 33912

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

CONSUMER COMMENTS

DEAR SIRS & MADAMES,  
AS A RESIDENT OF EAGLE RIDGE, AND A CUSTOMER OF UTILITIES, INC. OF EAGLE RIDGE, I WOULD LIKE TO EXPRESS MY CONCERNS OVER THE PROPOSED RATE INCREASES IN WASTE-WATER RATES. AS YOU ALL KNOW OUR ECONOMY IS CURRENTLY IN A DOWNWARD SPIRAL, AND A GOOD AMOUNT OF PEOPLE IN THIS AREA HAVE BEEN Laid OFF FROM THEIR JOBS, AND THOSE THAT HAVEN'T BEEN Laid OFF ARE CERTAINLY NOT SEEING ANY RAISES IN SALARIES/PAY. FURTHERMORE, I THINK THAT ASKING FOR A 30% RATE INCREASE IS ON THE VERGE OF PRICE GOUging. ESPECIALLY DURING THESE ECONOMIC TIMES. I ALSO BELIEVE THAT A 30% INCREASE IS NOT FAIR TO THE CONSUMERS, ESPECIALLY SINCE THERE IS NO COMPETITION AND WE HAVE NO OTHER ALTERNATIVES FOR WASTEWATER SERVICES. THE REASON GIVEN FOR SEEKING THIS INCREASE IS "...TO EARN A FAIR RATE OF RETURN ON ITS INVESTMENT..." WELL, I THINK, DURING THESE ECONOMIC TIMES, WE WOULD ALL LIKE TO GET A FAIR RATE OF RETURN ON OUR INVESTMENTS TO COVER OUR INCREASING

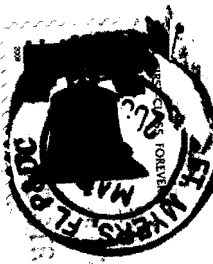
COVER

Fold and tape -- see back for address  
OPERATING COSTS. BUT INSTEAD WE ARE LOSING CAPITAL ON OUR INVESTMENTS AND HAVING TO ADJUST OUR BUDGETS TO COVER OUR INCREASED OPERATING COST.

PARKS  
7241 TWIN EAGLES LN  
FT MYERS, FL 33912

Florida Public Service Commission  
Division of the Commission Clerk and Administrative Services  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

09 MAR - 9 AM 7:52

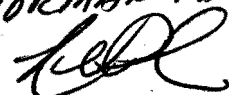


Fold Here

Tape

Fold Here

I WOULD HAVE TO ASK EACH OF YOU TO VOTE NO ON THIS PROPOSAL, ESPECIALLY AT THIS POINT IN TIME. THANK YOU IN ADVANCE FOR YOUR CONSIDERATION.

THANK YOU  
NORMAN PARKS  


080247

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
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STATE OF FLORIDA



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

Public Service Commission

March 9, 2009

RECEIVED-FPSC  
09 MAR -9 AM 10:05  
COMMISSION  
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FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 11797-08  
DISTRIBUTION: \_\_\_\_\_

Robert Oudkerk  
7220 Twin Eagle Ln.  
Fort Myers, Florida 33912

**Re: Application for an increase in wastewater rates for Utilities, Inc. of Eagle Ridge in Lee County, Florida; Docket No. 080247-SU**

Dear Mr. Oudkerk:

Thank you for your participation in the Eagle Ridge customer meeting held on Thursday, February 19, 2009, in which you expressed your concerns about a rate increase petition filed by Utilities, Inc. of Eagle Ridge (Eagle Ridge or Utility). To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

There are many factors that affect the cost of providing service and hence, the rates charged to customers. Some factors affecting the cost of providing service include: the size and age of the utility system; the quality of the water at its source; the number of customers; and the geographic spread of the service area. During a rate case, the Commission's accountants, engineers and economists examine the financial and engineering information and publish the results of their findings in an audit report. All costs found to be imprudent or unreasonable are disallowed.

When determining appropriate wastewater rates, Commission staff takes into consideration the amount of residential water usage. Industry standards indicate that an estimated 80 percent of residential water used is collected and treated by the wastewater system. This rate-making concept applied by the Commission acknowledges that not all water is returned to the wastewater. Wastewater gallonage caps are established so that consumers are not charged for wastewater service on gallons typically used for discretionary purposes, such as washing vehicles and irrigating lawns. With respect to Eagle Ridge, the cap was previously set at 10,000 gallons based on the usage characteristics of the customers of Eagle Ridge. The utility is not allowed to charge for any wastewater gallons consumed in excess of 10,000.



Mr. Robert H. Oudkerk

Page 2

March 9, 2009

The final rates in this current case are tentatively scheduled for Commission consideration at the April 7, 2009, Agenda Conference. With respect to the development of rates, the Commission is required to set rates that are just, reasonable, compensatory, and not unfairly discriminatory. To determine the appropriate rates for service, the Commission uses a rate of return methodology as set forth in Chapter 367, F.S. Under the rate of return methodology, a utility is allowed to earn a reasonable return on its prudently invested property that is used and useful in serving the public, less accrued depreciation plus an allowance for operating capital. This ratemaking process is used for all water and wastewater companies and is also used in the electric and gas industry. It is the same approach used throughout the country by various state and federal utility regulatory bodies.

We understand your concerns regarding the Utility's proposed increases. I hope the above information has been helpful. If you have any additional questions, or require further assistance, please call me at (850) 413-6425 or e-mail me at [avy.crawford@psc.state.fl.us](mailto:avy.crawford@psc.state.fl.us).

Sincerely,



Avy Crawford  
Regulatory Analyst II

cc: Office of Commission Clerk (Docket No. 080247-SU)  
Office of the General Counsel (Bennett)  
Division of Economic Regulation (Bulecza-Banks, Daniel, Fletcher, Redemann)

086247

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
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STATE OF FLORIDA



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

RECEIVED-FPSC  
09 MAR - 9 AM 10: 05  
COMMISSION  
CLERK

Public Service Commission

March 5, 2009

Steven Fixler  
14649 Aeries Way Drive  
Fort Myers, Florida 33912

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 11797-08  
DISTRIBUTION: \_\_\_\_\_

**Re: Application for an increase in wastewater rates for Utilities, Inc. of Eagle Ridge in Lee County, Florida; Docket No. 080247-SU**

Dear Mr. Fixler:

Thank you for your letter in which you expressed your concerns about a rate increase petition filed by Utilities, Inc. of Eagle Ridge (Eagle Ridge or Utility). To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

There are many factors that affect the cost of providing service and hence, the rates charged to customers. Some factors affecting the cost of providing service include: the size and age of the utility system; the quality of the water at its source; the number of customers; and the geographic spread of the service area. During a rate case, the Commission's accountants, engineers and economists examine the financial and engineering information and publish the results of their findings in an audit report. All costs found to be imprudent or unreasonable are disallowed.

In your letter you indicated that you are paying for sewer service that your household is not using. When determining appropriate wastewater rates, Commission staff takes into consideration the amount of residential water usage. The industry standards indicate that an estimated 80 percent of residential water used is collected and treated by the wastewater system. Wastewater gallonage caps are established so that consumers are not charged for wastewater service on gallons typically used for discretionary purposes, such as washing vehicles and irrigating lawns. With respect to Eagle Ridge, the cap was previously set at 10,000 gallons based on the usage characteristics of the customers of Eagle Ridge. The utility is not allowed to charge for any wastewater gallons consumed in excess of 10,000.

Mr. Steven Fixler

Page 2

March 5, 2009

We understand your concerns regarding the Utility's proposed increases. I hope the above information has been helpful. If you have any additional questions, or require further assistance, please call me at (850) 413-6425 or e-mail me at [avy.crawford@psc.state.fl.us](mailto:avy.crawford@psc.state.fl.us).

Sincerely,



Avy Crawford

Regulatory Analyst II

cc: Office of Commission Clerk (Docket No. 080247-SU)  
Office of the General Counsel (Bennett)  
Division of Economic Regulation (Bulecza-Banks, Daniel, Fletcher, Redemann)

080247

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

STATE OF FLORIDA



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

RECEIVED-FPSC  
FEB 18 AM 9:37  
COMMISSION  
CLERK

Public Service Commission

February 13, 2009

FPSC, CLK - CORRESPONDENCE  
Administrative Parties ~~Consumer~~  
DOCUMENT NO. 11797-08  
DISTRIBUTION: \_\_\_\_\_

Frank Taldone  
7221 Twin Eagle Lane  
Fort Myers, Florida 33912

**Re: Application for an increase in wastewater rates for Utilities, Inc. of Eagle Ridge in Lee County, Florida; Docket No. 080247-SU**

Dear Mr. Taldone:

Thank you for your letter in which you expressed your concerns about a rate increase petition filed by Utilities, Inc. of Eagle Ridge (Eagle Ridge or Utility). To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

We understand your concerns regarding the Utility's proposed increases. Eagle Ridge filed for interim relief. In accordance with Section 367.082, Florida Statutes (F.S.), the Commission is required to process Interim Rate Requests within 60 days of filing. The Commission is required to allow the collection of rates sufficient for the Utility to earn the minimum of its approved range. The statute also dictates that the company need only make a prima facie showing that it is earning outside the range of reasonableness as established in the company's previous rate case.

The 31 percent increase you mentioned, is for interim purposes. The 41 percent increase is the utility's final requested increase. However, the final increase will not be in addition to the interim increase, if granted, only the incremental difference. Interim rates are designed as a temporary increase until the final increase amount, if any, is determined. The interim increase is subject to refund, with interest based on the commercial paper rate. The interim increase will be refunded to the extent that the Commission finds that the interim increase was not warranted.

The final rates in this current case are tentatively scheduled for Commission consideration at the April 7, 2009, Agenda Conference. With respect to the development of rates, the Commission is required to set rates that are just, reasonable, compensatory, and not

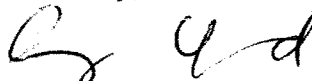
Mr. Frank Taldone  
Page 2  
February 13, 2009

unfairly discriminatory. To determine the appropriate rates for service, the Commission uses a rate of return methodology as set forth in Chapter 367, F.S. Under the rate of return methodology, a utility is allowed to earn a reasonable return on its prudently invested property that is used and useful in serving the public, less accrued depreciation plus an allowance for operating capital. This ratemaking process is used for all water and wastewater companies and is also used in the electric and gas industry. It is the same approach used throughout the country by various state and federal utility regulatory bodies.

There are many factors that affect the cost of providing service and hence, the rates charged to customers. Some factors affecting the cost of providing service include: the size and age of the utility system; the quality of the water at its source; the number of customers; and the geographic spread of the service area. During a rate case, the Commission's accountants, engineers and economists examine the financial and engineering information and publish the results of their findings in an audit report. All costs found to be imprudent or unreasonable are disallowed.

We understand your concerns regarding the Utility's proposed increases. I hope the above information has been helpful. If you have any additional questions, or require further assistance, please call me at (850) 413-6425 or e-mail me at [avy.crawford@psc.state.fl.us](mailto:avy.crawford@psc.state.fl.us).

Sincerely,



Avy Crawford  
Regulatory Analyst II

cc: Office of Commission Clerk (Docket No. 080247-SU)  
Office of the General Counsel (Bennett)  
Division of Economic Regulation (Bulecza-Banks, Daniel, Fletcher, Redemann)

RECEIVED--FPSC  
09 FEB 10 PM 4: 25

From: Robert H. Oudkerk  
7220 Twin Eagle Ln.  
Ft. Myers, FL 33912  
Ph. 239-561-9752  
e-mail: [Robma99@Embarqmail.com](mailto:Robma99@Embarqmail.com)

Ft. Myers, FL 2/3/09

COMMISSION  
CLERK

FPSC, CLK - CORRESPONDENCE  
Administrative Parties  Consumer  
DOCUMENT NO. 11-797-08  
DISTRIBUTION: ECR, GCL

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

**Subject: Docket No. 080247-SU, Utilities, Inc of Eagle Ridge.**

*Dear Commissioner,*

Regarding the proposed rate increase of Utilities Inc, I am strongly objecting against any such increase, because of the following.:

- 1) This company is barely a year in business; the previous company had lower rates before takeover.
- 2) To raise the fees with almost 50% is absurd in these hard times for most homeowners.
- 3) The present rates are already way to high in relation to that this company does not charge for the actual waste correctly, since the charges are only related to water usage. My experience in Virginia and S. Carolina is that sprinkler usage and pool top up should not be charged against waste. Furthermore in those states the number of persons per household determine the rate of waste produced.

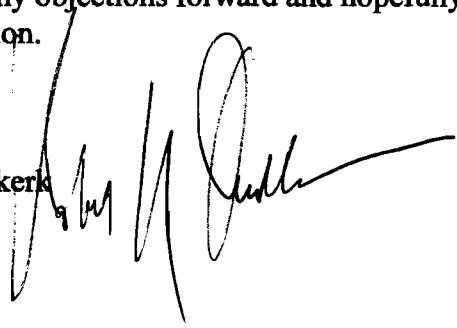
Because of the above I am amazed that this company refuses to follow practices invented by other states and companies to properly account for the actual service provided.

Their cost statement is a total joke: anyone with a little accounting skill can come up with only \$ 1200 profit! I guess inefficiency is the cause; I see their employees running around in their pickups all over town, and wonder what the level for executive pay and benefits are considering the total of only \$348000.- revenues per year.

Since there is a meeting planned for customers on 2/19/09 in Ft. Myers, please be so kind to bring my objections forward and hopefully this increase will be denied by your commission.

Regards,

Rob Oudkerk



RECEIVED  
FEB 09 2009  
Florida Public Service Commission  
Division of SSC

**\*\*CLK OFFICIAL DOCUMENT...\*\*b>**

**Kimberley Pena**

080247

**From:** Ruth McHargue  
**Sent:** Tuesday, February 03, 2009 5:20 PM  
**To:** Ruth Nettles  
**Cc:** Kimberley Pena; Cheryl Bulecza-Banks  
**Subject:** FW: 1 239 561 9795, 1 page(s)

**Attachments:** FAX.TIF

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 11797-08		
DISTRIBUTION: ECR GCL		

Please add to docket file.

---

**From:** Consumer Contact  
**Sent:** Tuesday, February 03, 2009 1:54 PM  
**To:** Ruth McHargue  
**Subject:** FW: 1 239 561 9795, 1 page(s)

To CLK for docket 080247

---

**From:** NET SatisFAXtion  
**Sent:** None  
**To:** Consumer Contact  
**Subject:** 1 239 561 9795, 1 page(s)

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

Received Fax Details

---

Received On: 2/03/2009 12:50 PM  
Number of Pages: 1  
From (CSID): 1 239 561 9795  
From (ANI):  
Sent to DID:  
  
Duration of Fax: 0:01:11  
Transfer Speed: 21600  
  
Received Status: Success  
Number of Errors: 0  
Port Received On: RockForceOCTO+ Port 6

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FAX.TIF (27 KB)

Steven Fixler  
14649 Aeries Way Drive  
Fort Myers, Fl. 33912  
239-561-9795

February 2<sup>nd</sup> 2009

RE: Docket No. 080247-SU

Greetings and Salutations,

I am writing the letter in response to the up coming hearing regarding the above mentioned Docket hearing, I. E. Eagle Ridge Utilities waste water increase.

I am asking the board to accept this letter due to my absence, for I may not be able to attend, therefore my plea to allow the letter to speak on my behalf.

In understanding the rising costs of doing business in these hard times, being in business myself, I understand when it is unfortunate to pass along the increase, due to consumer price indexes.

Being a homeowner here in Eagle Ridge, and in keeping with the corporate beautification guidelines that state clearly I must keep my property within certain appearance that requires me to water my lawn and shrubs on a frequent basis, where it usually costs me double the monthly operating costs in water usages.

Unfortunately, I do not have a well for lawn usage, so I must use the water supplied to my home via the utility service. MY objection, I am paying for sewer service that my household is not using. I would be glad to install another water meter for the sole purpose of monitoring my lawn watering; thereby proving that the increase the Utility service claims is moot.

I am sure I speak clearly for other homeowners in Eagle Ridge, that use metered water for the watering of lawns, therefore a more in depth survey should be enacted for actual waste water usage is properly defined.

Thank you for this opportunity,

I am,

Steven Fixler





**\*\*CLK OFFICIAL DOCUMENT...\*\***

**Kimberley Pena**

080247

**From:** Ruth McHargue  
**Sent:** Thursday, January 22, 2009 4:57 PM  
**To:** Ruth Nettles  
**Cc:** Kimberley Pena; Cheryl Bulecza-Banks  
**Subject:** Docket correspondence

**Attachments:** FAX.TIF

Please add to docket file.

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>11797-08</u>		
DISTRIBUTION: <u>ECR, GU</u>		

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**From:** Consumer Contact  
**Sent:** Tuesday, January 20, 2009 3:27 PM  
**To:** Ruth McHargue  
**Subject:** FW: 239 225 0222, 1 page(s)

To CLK.

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**From:** NET SatisFAXtion  
**Sent:** None  
**To:** Consumer Contact  
**Subject:** 239 225 0222, 1 page(s)

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

Received Fax Details

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Received On: 1/20/2009 3:20 PM  
Number of Pages: 1  
From (CSID): 239 225 0222  
From (ANI):  
Sent to DID:  
  
Duration of Fax: 0:00:30  
Transfer Speed: 28800  
  
Received Status: Success  
Number of Errors: 0  
Port Received On: RockForceOCTO+ Port 6

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FAX.TIF (18 KB)

1/19/09

OFFICE OF COMMISSION CLERK  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHUMARD OAK BLVD.  
TALLAHASSEE, FLORIDA 32399-0850

DOCKET # 080247-S4

(PROTEST INCREASE)

COMPLAINT AND PROTEST ANY RATE INCREASE IN MY  
WASTEWATER RATES IN LEE COUNTY BY UTILITIES, INC OF  
EAGLE RIDGE; DOCKET NO. 080247

- \* WE WERE INCREASED 31% IN NOV. 2008
- \* THEY NOW WANT ANOTHER 43% INCREASE

PLEASE PUT THIS LETTER OF PROTEST WITH YOUR FILE -

THANK YOU -

FRANK TALONIS  
7721 TWIN EAGLE LANE.  
FT MYERS, FLORIDA. 33912

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

STATE OF FLORIDA



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

Public Service Commission

January 6, 2009

RECEIVED-FPSC  
09 JAN -7 PM 3:14  
COMMISSION  
CLERK

Harry Unglaub, Treasurer  
Cross Creek Golf and Country Club  
13050 Cross Creek Boulevard  
Fort Myers, Florida 33912

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 11797-08		
DISTRIBUTION: _____		

**Re: Application for an increase in wastewater rates for Utilities, Inc. of Eagle Ridge in Lee County, Florida; Docket No. 080247-SU**

Dear Mr. Unglaub:

Thank you for your letter in which you expressed your concerns about a rate increase petition filed by Utilities, Inc. of Eagle Ridge (Eagle Ridge or Utility). To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review.

We understand your concerns regarding the Utility's proposed increases. Eagle Ridge filed for interim relief. In accordance with Section 367.082, Florida Statutes (F.S.), the Commission is required to process Interim Rate Requests within 60 days of the filing. The Commission is required to allow the collection of rates sufficient for the Utility to earn the minimum of its approved range. As the time frame to process the interim request is 60 days, the statute dictates that the company need only make a prima facie showing that it is earning outside the range of reasonableness as established in the company's previous rate case. The interim increase is, however, subject to refund with interest based on the commercial paper rate. The interim increase will be refunded to the extent that the Commission finds that it was not warranted.

Notification of an interim increase is required at least five days prior to the effective date. As explained in the notice, the approved interim rates became effective November 19, 2008. Eagle Ridge's last rate case was in 2004. By Order No. PSC-04-1107-PAA-S, issued on November 4, 2004, the Commission ordered that Eagle Ridge's rates be reduced at the conclusion of the four-year amortization period of the rate case expense approved in the Utility's

Mr. Harry Unglaub, Treasurer  
Page 2  
January 6, 2009

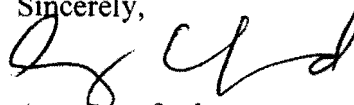
last rate case. On December 1, 2008, the approved interim rates were reduced as required by Order No. PSC-04-1107-PAA-SU. See attached schedule.

The final rates in this current case are tentatively scheduled for Commission consideration at the April 7, 2009, Agenda Conference. With respect to the development of rates, the Commission is required to set rates that are just, reasonable, compensatory, and not unfairly discriminatory. To determine the appropriate rates for service, the Commission uses a rate of return methodology as set forth in Chapter 367, F.S. Under the rate of return methodology, a utility is allowed to earn a reasonable return on its prudently invested property that is used and useful in serving the public, less accrued depreciation plus an allowance for operating capital. This ratemaking process is used for all water and wastewater companies and is also used in the electric and gas industry. It is the same approach used throughout the country by various state and federal utility regulatory bodies.

There are many factors that affect the cost of providing service and hence, the rates charged to customers. Some factors affecting the cost of providing service include: the size and age of the utility system; the quality of the water at its source; the number of customers; and the geographic spread of the service area. During a rate case, the Commission's accountants, engineers and economists examine the financial and engineering information filed by the Utility as part of its rate increase application. The Commission's auditors also examine this information and publish the results of their findings in an audit report. All costs found to be imprudent or unreasonable are disallowed.

We understand your concerns regarding the Utility's proposed increases. I hope the above information has been helpful. If you have any additional questions, or require further assistance, please call me at (850) 413-6425 or e-mail me at [avy.crawford@psc.state.fl.us](mailto:avy.crawford@psc.state.fl.us).

Sincerely,



Avy Crawford  
Regulatory Analyst II

cc: Office of the Commission Clerk  
Office of the General Counsel (Bennett)  
Division of Economic Regulation (Bulecza-Banks, Fletcher, Redemann)



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08 DEC 22 AM 8: 08

COMMISSION  
CLERK

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

**PARTIES**

Ref: Docket No. 080247-SU

We have received a notice that the rate for our waste water treatment will increase from \$18.42 a unit to \$23.77 a unit. This increase took affect on November 19, 2008. We were notified on November 14, 2008.

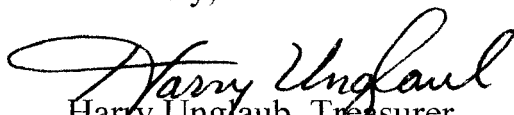
While there may be justification for this increase, we feel that our association should have been notified regarding this increase earlier in the year so the amount could be included in our budget for 2009.

In November of 2004 when the increase took affect we were notified about the potential increase by April of that year.

While the amount of increase, \$5.35 per unit, may not be significant to the individual owner, the total amount for our association will increase \$58,101.00.

Was there a reason why we were never notified prior to the increase?  
What steps can we take to make certain this does not happen again?

Sincerely,

  
Harry Unglaub, Treasurer  
Cross Creek Master Board

CC: Utilities, Inc of Eagle Ridge  
Cross Creek Directors

13050 Cross Creek Blvd. Fort Myers, Florida 33912 – Telephone 239-768-1166

DOCUMENT NUMBER-DATE

11797 DEC 22 08

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