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Public Service Commission

April 7, 2009

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COMMISSION  
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East Marion Sanitary Systems, Inc.  
Attn: Herbert Hein  
G-4225 Miller Road, Suite 190  
Flint, MI 42507-1227

**Re: Docket No. 080562-WU – Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc (East Marion or Utility).**

Dear Mr. Hein:

In reviewing East Marion's petition, staff was made aware that four customers had requested separate irrigation meters and had been refused service by the Utility. East Marion informed the customers and staff that it would not provide service to those customers until the Commission approved the new meter installation rate. At an informal meeting held on November 14, 2008, the Utility was informed by staff that pursuant to Rule 25-30.520, Florida Administrative Code (F.A.C.), a utility could not refuse to provide service within its certificated areas in accordance with the terms and conditions on file with the Commission. Also, staff informed East Marion that it must provide irrigation meters to those customers who requested meters, under the tariffed rate in place at the time of the customers' requests.

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As of date of this letter, the Utility has not provided those four customers with irrigation meters. Staff is requesting that the utility provide irrigation meters to those four customers, and to any other customer who has previously requested irrigation meters, by May 5, 2009 at the tariff rate of \$70.00. If the Utility fails to provide the customers with the irrigation meters at the tariff rate of \$70.00, staff will recommend to the Commission that the Utility show cause in writing why it should not be fined for apparent violation of Rule 25-30.520, F.A.C.

Sincerely,



Lisa Bennett  
Senior Attorney

cc: Office of General Counsel (Brubaker)  
Division of Economic Regulation (Bulecza-Banks, Fletcher, Hudson)  
Office of Commission Clerk (Docket No. 080562-WU)