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STATE OF FLORIDA



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Public Service Commission

May 7, 2009

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COMMISSION
CLERK

Mr. Herbert Hein
East Marion Sanitary Systems Inc.
G4225 Miller Road #190
Flint, MI 48507

Re: DOCKET NO. 080562-WU - Request for approval 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.

Dear Mr. Hein:

After several telephone conversations, I felt it best to follow up with a letter to make certain you understand the Commission's Order and the appropriate process if you disagree with that Order. Attached is the Order granting in part and denying in part the utility's requested tariff revisions. In addition to granting tariff changes, the Commission directed that four (4) customers, who had requested irrigation meters at the previously approved tariff rate and did not receive them, are to be connected at the previously approved tariff rate of \$70.00. If you disagree with the Commission's decision requiring East Marion to connect Mr. Greco, Mr. Singel, Mr. Will, and Mr. Turner at the previous tariff rate of \$70.00, the procedure for seeking a review of the Commission's decision is found on the last page of the Order, in the Notice of Further Proceedings. Any request for further proceeding must be filed with the Commission Clerk no later than 5 p.m. on May 18, 2009.


Additionally, in its Order the Commission stated that any other customer who requested an irrigation meter prior to April 7, 2009, would be charged the connection fee in effect at the time of their application. Mr. Will stated at the Agenda Conference that he had several other customers who have requested irrigation meters, and that he would provide the list. For purposes of implementing this portion of the Order, you asked what constituted an application for service. Your tariff provides an application and a fee (\$70.00 until April 7, 2009) for new service. Obviously, that is an application that, when completed, would require you to provide service. There were allegations that some customers who requested an application were not provided one. If a customer alleges he wanted to apply but was denied the ability to fill out an application, it will be a factual determination as to whether that customer would be entitled to the lower rate for the irrigation meter, a decision which may ultimately return to the Commission if the utility and customer disagree.

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Again, if there is any part of the Order with which the Utility disagrees, it has a right to request an evidentiary hearing before the Commission. The request for a hearing must be made no later than May 18, 2009.

Sincerely,


Lisa C. Bennett
Senior Attorney

LCB:th

Enclosure

cc: Office of Commission Clerk (w/o attachment)
Division of Economic Regulation (Fletcher)
Mike Smallridge