

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET # 090093

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May 11, 2009

Office of Commission Clerk 5/13/2009
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399

To whom it may concern,

This letter/document is in response to your FPSC Docket # 090093. Please read the following associated facts regarding this docket.

Mr. Morelli has been added to the mailing list as an interested person in Docket 090093.
Kimberley M. Peña
Records Management Assistant
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6770

Subject: Heather Hills Estates Utility

YES!!! I do want to be added as an interested party, to say the least. This is of great concern to us. Again they have not been up front and honest with us. This is not the way to get support.

John J. Morelli, Sr.
110 50th Ave. West
Bradenton, FL 34207
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E-mail: FUJIMOCAR@msn.com

The above confirms the fact that I was down as a **“concerned party” on this docket** but at least four (4) more additions were made to this docket and I **was not** made aware of them. Deadlines have come and gone for the applicants without their complying with them and **nothing** has been done about this **BUT we**, the consumers, have had to stick by

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these deadlines. There were, and still are, many shortcomings made in the application submitted by Mr. Smallridge that will interfere with our giving a complete and accurate review of this proposed sale/transfer. You (the FPSC) have asked us to work with these entities but this will only be accomplished with their support and input. When the Stephens have been asked questions lately they give us the business card of their lawyer and tell us that we will have to pay their lawyers for any info. We are still at the point where the applicants think that they are above the law and can do as they please. For the FPSC to condone such blatant acts is a travesty of justice and our (the consumers) rights.

Following will be some of the points that I want to bring to your attention at this time but you must take into consideration that I/we are working with an incomplete application that is riddled with unknown facts and incomplete information. After the two (2) parties complete and up-date their request for certificate transfers I/ we would request ample time to review these documents and to see if our questions/doubts are answered or if we have more concerns.

(1) Last year when Ni Fl tried to purchase this utility for \$276,000.00 the book value was only \$902.00. (NOTE!!! This transfer (080428) consisted of 264 pages in just the initial docket and was quite complete with more additions, not like the present 45 page docket). Now the present owners (STARKEY) is trying to sell to Stephens for over \$123,000.00. This is still way too much for this over 40 year old dilapidated rundown utility.

(2) The Stephens just bought (on credit) the clubhouse and amenities from STARKEY for \$1.333 million dollars in January of 2008. They will be paying on this note for way over 10 more years. Just the payments on these 2 notes are bad enough but the Stephens have many more debts including their main home, rental properties, vehicles, etc. To get a clearer picture of their financial standing to see if they can afford to run the utility the FPSC should request an accounting of all their outstanding financial obligations.

(3) Mr.Smallridge said (in our meeting) that all that the Stephens know about running and operating a utility was learned from the STARKEYS. If this is true then all I have to say is "**GOD help us!!!**". Maybe reading and taking a test on chapter 367 should be a prerequisite to owning a utility.

(4) Both Mr. And Mrs. Stephens hold down several jobs requiring a great deal of their time besides raising a small child. We believe that this will jeopardize running a utility promptly and efficiently. They spend very little time here as it now stands. But they do operate a full time realty office from the clubhouse, even on Sunday. Of course this is manned by another realtor most of the time.

(5) Another main point is their reported income. They are showing an income from Heather Hills Estates of over \$206,000.00 a year from our "assessment". We have talked with many lawyers including some in government positions in Tallahassee. Everyone that we have spoken with has said that we are operating under antiquated laws from the 60s

that have been revised, rewritten or literally voided by changes in State, Local and Federal Laws. We have hired an attorney from Tampa to bring this to trial and when we win we will be asking that this assessment be voided and that we want to be reimbursed for all monies collected illegally. When this happens how will they survive as a Utility or any other entity?

I and many others are against this transaction. I/we would appreciate you (the FPSC) taking a closer look at this transaction and giving us (the consumers) a chance to view and act upon a fully completed docket, not the one that is presently before us. My other concerns will come at a later date.

Sincerely,

S/John J. Morelli, Sr.
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