

Ruth Nettles

080562-WU

From: mike smallridge [michael.smallridge@century21.com]
Sent: Monday, May 18, 2009 4:33 PM
To: Filings@psc.state.fl.us
Subject: Document1
Attachments: Doc1.docx

Please find attached petition to protest PSC order # PSC-09-0263-TRF-WU in Docket # 080562-WU as an e-filing.

Filed by

Mike Smallridge
Mike Smallridge Utility Consulting
15827 Cedar Elm Terr.
Land O Lakes, FL. 34638

For my client;

East Marion Sanitary Systems.

5/18/2009

DOCUMENT NUMBER-DATE

04880 MAY 18 2009

FPSC-COMMISSION CLERK

Ann Cole Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Blvd.

Tallahassee, FL. 32399

Re: Petition to Protest Order # PSC-09-0263-TRF-WU in Docket # 080562-WU

Dear Ms. Cole:

1. East Marion Sanitary Systems, Inc. is protesting the above referenced commission order regarding the installation of irrigation meters for (4) four customers and the other applicants listed on pages 6 & 8 in the order, specifically to Mr. Will and Mr. Turner. Mr. Will has never contacted the company in any form or manner to even request an irrigation meter. The commission stated it had received correspondence from Mr. Will regarding a request for an irrigation meter. The staff has provided the company with a copy of all correspondence from Mr. Will and there is nothing in any of the correspondence that in any way indicates that he had contacted the utility in any fashion for installation of an irrigation meter. The utility is in concurrence with installing irrigation meters for Mr. Greco and Mr. Single, as these customers have sent in an application along with the appropriate funds for the installation. Mr. Turner did send a letter not to the company address but the Post Office Box address used for bill payment and processing, which was forwarded to the utility. However, Mr. Turner was sent an application along with a letter stating that the application needed to be filled out and the appropriate funds mailed to the utility and no response was received.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

2. Staff has provided copies of four additional letters that were provided to the PSC by Mr. Will purporting to be customers that had applied for irrigation meters prior to the

deadline. The utility protests these for the following reasons:

A. Letter from Mr. & Mrs. Smith of 1384 N.E. 130th Terrace.

In reviewing this letter it is clear that this letter was not sent to the utility, just by reviewing the mailing address. This address is incorrect.

B. Letters from Mr. Tarsitano & the Costello's.

In reviewing these letters, it is clear these letters were solicited by Mr. Will and given either to Mr. Will or the Lakeview Woods Property Owners Association and not sent to the utility. These letters have no indication they were never sent to the utility.

C. Kevin & Candy Politte.

This letter was solicited by Mr. Will and is a letter that was never mailed to the utility. Mr. & Mrs. Politte would have filed a complaint had they actually sent the letter and not received a response.

3. The only letter that has any credibility is Mr. Turner's and the utility is willing to install an irrigation meter at the location should Mr. Turner properly execute the proper application and pay the required fee.

The Petitioner asks the Commission to amend order # PSC-09-0263-TRF-WU to only install three (3) irrigation meters, the three being Mr. Greco, Mr. Single and Mr. Turner should he successfully complete the application process and pay the required fee.

The Utility received a copy of the Commission Order # PSC-09-0263-TRF-WU by fax from a customer and again from the Commission along with letters provided by Mr. Will.

Petitioner's interest shall be substantially affected if the utility is required to install irrigation meters at a cost of \$ 1,400 or more and only collect \$70.00. This was an oversight by commission staff during the last staff assisted rate case. The \$70.00 irrigation installation fee took into account the existing piping, valves & meter boxes which costs are offset by the tap- in fee. However, none of that applies to irrigation meters as additional piping, valves and meter boxes that are required.

4. With only 87 customers the utility will find it difficult to survive with 30% to 70% of its net revenue lost, due to irrigation meters. The utility should be allowed to charge a fee similar to the utilities water tap-in fee for the irrigation fee, which was set up to help pay for proper installation of an irrigation meter.

Petitioner: East Marion Sanitary Systems, Inc

Herbert Hein

G-4225 Miller Road Suite 190

Flint, MI. 48507

Phone Number- 810-733-6342

Company Representative: Mike Smallridge

15827 Cedar Elm Terr.

Land O'Lakes, FL. 34638

352-302-7406

Sincerely,

s/ Herbert Hein