

090232

**Kimberley Pena**

FPSC, CLK - CORRESPONDENCE

**From:** Kimberley Pena  
**Sent:** Monday, June 01, 2009 10:23 AM  
**To:** Caroline Klancke  
**Cc:** Dorothy Menasco  
**Subject:** RE: Docket Correspondence Query- In Re Docket No. 090232-WS

Administrative  Parties  Consumer  
**DOCUMENT NO.** 04913-09  
**DISTRIBUTION:** \_\_\_\_\_

Per this e-mail, we will place this document in Docket correspondence - Parties and Interested Persons, in Docket 090232-WS.

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**From:** Caroline Klancke  
**Sent:** Monday, June 01, 2009 10:08 AM  
**To:** Kimberley Pena  
**Subject:** Docket Correspondence Query- In Re Docket No. 090232-WS

Please place the e-mail below in the appropriate section of the correspondence file in Docket No. 090232-WS. Thank you.

*Caroline M. Klancke*  
*Senior Attorney*  
*Economic Regulation Section*  
*Office of the General Counsel*  
*Florida Public Service Commission*  
*Phone: (850) 413-6220*  
*Fax: (850) 413-6221*  
*[cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us)*

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**From:** Caroline Klancke  
**Sent:** Monday, June 01, 2009 9:39 AM  
**To:** 'esuchora@cfl.rr.com'  
**Cc:** Patti Daniel; Stephanie Clapp; 'Martin Friedman'  
**Subject:** In Re Docket No. 090232-WS

Mr. Edward M. Suchora  
 2666 Babbitt Ave.  
 Orlando, FL 32833

**Re: Docket No. 090232-WS, Joint application for authority to transfer assets and Certificate Nos. 404-W and 341-S in Orange County from Wedgefield Utilities, Inc. to Pluris Wedgefield, LLC.**

Dear Mr. Suchora:

Thank you for your letter dated May 26, 2009, in which you expressed your concerns regarding the Commission's approval of an increase in water and wastewater rates for Wedgefield Utilities, Inc. in Docket No. 070694-WS. As you know, the Commission voted to approve the utility's rate increase on December 12, 2008. This decision was memorialized in Order No. PSC-08-0827-PAA-WS which became final on January 20, 2009.

6/1/2009

In the instant case, Docket No. 090232-WS pertains to the joint application for authority to transfer the utilities assets and Certificates in Orange County from Wedgefield Utilities, Inc. to Pluris Wedgefield, LLC. As such, please be advised that this docket will not address the previously approved rate increase. Moreover, no other rate issues will be analyzed in this docket. I hope that this information clarifies the subject matter of Docket No. 090232-WS and addresses your concerns.

Before taking any further actions with respect to your letter, the Commission must know your intent regarding your objection to the above referenced transfer in this docket. If you choose to pursue this protest, you will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a prehearing to be held in Tallahassee, Florida, putting on witnesses and cross-examining utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates that will be required to be met by all parties to this proceeding. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, it may be preferable to hire counsel or a qualified representative to represent you.

That being said, if you do not wish to pursue a formal hearing, your letter will be placed in the correspondence side of the docket file in this case, where your concerns will remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and you may address the Commissioners at the Agenda Conference.

If you wish to initiate a protest proceeding in the above referenced docket, please submit to the Office of Commission Clerk of the Florida Public Service Commission a written petition initiating formal proceedings in accordance with the requirements of Rule 28-106.201, Florida Administrative Code, by **Tuesday, June 16, 2009**. Your petition should be made in writing and should be addressed to the Florida Public Service Commission, Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If we do not hear from you by **Tuesday, June 16, 2009**, we will assume that you do not wish to pursue a formal hearing and your letter will be placed in the correspondence side of the docket file in the above referenced matter.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact the undersigned at (850) 413-6220 or [cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us).

Sincerely,

Caroline Klancke, Esq.  
Senior Attorney  
Office of the General Counsel

**Kimberley Pena**

090232

**From:** Kimberley Pena  
**Sent:** Wednesday, May 27, 2009 9:55 AM  
**To:** Caroline Klancke  
**Cc:** Ann Cole  
**Subject:** RE: In Re Docket No. 090232-WS

Thank you. This information will be placed in Docket Correspondence - Consumers and Their Representatives, in Docket 090232-WS, today.

**From:** Caroline Klancke  
**Sent:** Tuesday, May 26, 2009 4:50 PM  
**To:** Ann Cole  
**Cc:** Patti Daniel; Stephanie Clapp; April Vicary  
**Subject:** FW: In Re Docket No. 090232-WS

04913-09  
Parties-Please

Ann,

Please ensure that the correspondence below is placed in the correspondence side of the docket file in Dkt. No. 090232-WS. Thank you.

*Caroline M. Klancke*  
 Senior Attorney  
 Economic Regulation Section  
 Office of the General Counsel  
 Florida Public Service Commission  
 Phone: (850) 413-6220  
 Fax: (850) 413-6221  
 cklancke@psc.state.fl.us

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<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
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**From:** Caroline Klancke  
**Sent:** Tuesday, May 26, 2009 4:48 PM  
**To:** 'Mike Dydo'  
**Cc:** Martin Friedman; <pcflyn@uniwater.com>; Stephanie Clapp; Patti Daniel  
**Subject:** RE: In Re Docket No. 090232-WS

Thank you Mr. Dydo for your clarification regarding your concerns. I appreciate your prompt attention and assistance with respect to this matter. Moreover, in accordance with the e-mail below, if the proposed transfer in this docket is approved the Commission will ensure that the utility maintains a 24 hour emergency hotline in accordance with the Commission's rules as well as the utility's tariff. If you have any further questions regarding this matter, please do not hesitate to contact the undersigned.

*Caroline M. Klancke*  
 Senior Attorney  
 Economic Regulation Section  
 Office of the General Counsel  
 Florida Public Service Commission  
 Phone: (850) 413-6220  
 Fax: (850) 413-6221

5/27/2009

[cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us)

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**From:** Mike Dydo [mailto:mdydo@cfl.rr.com]  
**Sent:** Tuesday, May 26, 2009 4:09 PM  
**To:** Caroline Klancke  
**Cc:** Martin Friedman; <pcflynn@uniwater.com>  
**Subject:** Re: In Re Docket No. 090232-WS

Thank you for the assurances provided in your response regarding certificates and the emergency contact information. I must point out that the docket information included an emergency contact telephone number, which when tested, was in fact not an emergency contact number.

Based on the assurances you provided about the availability of the orders indicated, and assuming an agreement that Wedgfield Pluris LLC shall provide, upon completing the purchase, a staffed emergency phone line with 24 hours a day, 7 days a week service coverage that shall also include rapid dispatch, within 30 - 45 minutes of the customer's emergency call, of a qualified water plant technician to the water plant site to provide emergency corrective response, I have no objections to the planned purchase / sale.

My intent is to assure a staffed emergency response system is maintained after the sale, since there have been many alarms sounded at the facility in the recent past which were promptly attended to by the staff located within the community.

Sincerely,

Mike Dydo

On May 26, 2009, at 2:02 PM, "Caroline Klancke" <[CKLANCKE@PSC.STATE.FL.US](mailto:CKLANCKE@PSC.STATE.FL.US)> wrote:

Mr. Mike Dydo  
2302 Babbitt Ave.  
Orlando, FL 32833

**Re: Docket No. 090232-WS, Joint application for authority to transfer assets and Certificate Nos. 404-W and 341-S in Orange County from Wedgfield Utilities, Inc. to Pluris Wedgfield, LLC.**

Dear Mr. Mike Dydo:

Thank you for your letter dated May 18, 2009, in which you expressed your concerns regarding the absence of physical certificates for review by customers as well as the apparent non-existence of any emergency contact number at the utility. Please be advised that the Florida Public Service Commission (Commission) no longer issues actual Certificates to Water and Wastewater utilities. Rather, the Commission orders serve as the certificate for the utility. Moreover, the Commission is in the process of modifying rules to delete the requirement to submit certificates as that requirement is now obsolete. For example, if the circumstances in the instant case merit approval of the transfer of Wedgfield Utilities, Inc. the Commission order itself approving the transfer will serve as Pluris Wedgfield LLC's (Pluris) water and/or wastewater certificate. As you know, all recommendations and orders of the Commission are accessible via the Commission's web site located at <http://www.psc.state.fl.us/>.

With respect to your concern regarding the non-existence of an emergency contact number, as this matter is still pending before the Commission, Pluris has not yet taken over ownership of the utility and thus, has not yet established a twenty-four hour emergency hotline. However, please be

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advised that Commission staff has confirmed with representatives of Pluris that if the transfer in the above-referenced docket is approved, Pluris will ensure that an emergency contact line is available to all of its customers twenty-four hours a day, seven days a week.

Before taking any further actions with respect to your letter, the Commission must know your intent regarding your objection to the above referenced transfer in this docket. If you choose to pursue this protest, you will have certain rights and responsibilities to put on your case, including filing written testimony, participating in motion practice and formal discovery, filing a prehearing statement, attending a prehearing to be held in Tallahassee, Florida, putting on witnesses and cross-examining utility and other witnesses at the hearing, and filing a post-hearing brief. All of these activities will have due dates that will be required to be met by all parties to this proceeding. Although utility customers may represent themselves at formal hearings before the Florida Public Service Commission, it may be preferable to hire counsel or a qualified representative to represent you.

That being said, if you do not wish to pursue a formal hearing, your letter will be placed in the correspondence side of the docket file in this case, where your concerns will remain available for review and informational purposes. Additionally, upon your request, we can send you a copy of staff's recommendation and you may address the Commissioners at the Agenda Conference.

If you wish to initiate a protest proceeding in the above referenced docket, please submit to the undersigned a petition initiating formal proceedings in accordance with the requirements of Rule 28-106.201, Florida Administrative Code, by **Friday, June 12, 2009**. Your petition should be made in writing and should be addressed to the Florida Public Service Commission, Director, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If we do not hear from you by **Friday, June 12, 2009**, we will assume that you do not wish to pursue a formal hearing and your letter will be placed in the correspondence side of the docket file in the above referenced matter.

If you have any questions regarding the initiation of the protest process or the information contained herein, please do not hesitate to contact the undersigned at (850) 413-6220 or [cklancke@psc.state.fl.us](mailto:cklancke@psc.state.fl.us).

Sincerely,  
Caroline Klancke, Esq.  
Senior Attorney  
Office of the General Counsel

Dorothy Menasco

090232-WS

**From:** Filings@psc.state.fl.us  
**Sent:** Tuesday, May 26, 2009 4:35 PM  
**To:** 'esuchora@cfl.rr.com'  
**Subject:** FW: Wedgefield Utilities - Docket 090232  
**Importance:** High  
**Attachments:** Objections to Wedgefield Utilities Sale 05262009.doc

FPSC, CLK - CORRESPONDENCE  
Administrative  Parties  Consumer  
DOCUMENT NO. 04913-09  
DISTRIBUTION: \_\_\_\_\_

Mr. Suchora,

We are in receipt of your attached e-filing. Please note that, per the Commission's e-filing requirements, documents are to include an official signature. Your document will need to be revised and resubmitted to be considered an official filing.

**Manner of Electronic Transmission:**

- Documents shall be signed by typing "s/" followed by the signatory:  
  
s/ First M. Last
- The acknowledgment indicates the document has been received, but does not confirm the document meets the requirements for electronic filing.

A link to the Commission's e-filing requirements is included for your convenience:  
<http://www.psc.state.fl.us/dockets/e-filings/>

Please call our office if you have any questions.

*Dorothy Menasco  
Chief Deputy Commission Clerk  
Florida Public Service Commission  
Office of Commission Clerk  
850-413-6770*

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**From:** Ed Suchora [mailto:esuchora@cfl.rr.com]  
**Sent:** Tuesday, May 26, 2009 4:08 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Wedgefield Utilities - Docket 090232  
**Importance:** High

Please accept the attached document as my objection to Wedgefield Utilities/Pluris sale on Docket 090232.

Thank You – Ed Suchora

**Ruth Nettles**

090232-WS

**From:** Filings@psc.state.fl.us  
**Sent:** Tuesday, May 19, 2009 12:25 PM  
**To:** 'mdydo@cfl.rr.com'  
**Cc:** Dorothy Menasco; Ruth Nettles  
**Subject:** FW: Filing in Docket No.: 090232-WS; Joint Application of Wedgefield Utilities, Inc., and Pluris Wedgefield, LLC, for Authority to Transfer Assets and Certificate Nos. 404-W and 341-S to Pluris Wedgefield, LLC in Orange County, Florida  
**Attachments:** Objections to Wedgefield Utilities Sale 05182009.doc

**PARTIES**

Dear Mr. Dydo:

We are in receipt of your filing below. It appears that the only information that is being corrected is on the e-mail transmittal page. Unless we receive any information to the contrary, the filing submitted at 8:25 p.m. will be considered a duplicate, and will not be accepted for filing.

Please do not hesitate to call if you have any questions.

Sincerely,

Ruth V. Nettles  
Office of Commission Clerk  
850-413-6770

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**From:** Mike Dydo [mailto:mdydo@cfl.rr.com]  
**Sent:** Monday, May 18, 2009 8:50 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** mgallarda@pluriscompanies.com; jphoy@uiwater.com; jrstover@uiwater.com; Stephanie Clapp; mdydo@cfl.rr.com; 'Martin Friedman'; 'Christian W. Marcelli'; 'Trina Collins'  
**Subject:** Filing in Docket No.: 090232-WS; Joint Application of Wedgefield Utilities, Inc., and Pluris Wedgefield, LLC, for Authority to Transfer Assets and Certificate Nos. 404-W and 341-S to Pluris Wedgefield, LLC in Orange County, Florida

- a. Michael R Dydo  
2302 Babbitt Avenue  
Orlando, FL 32833  
407-568-4719  
[mdydo@cfl.rr.com](mailto:mdydo@cfl.rr.com)
- b. Docket No.: 090232-WS; Joint Application of Wedgefield Utilities, Inc., and Pluris Wedgefield, LLC, for Authority to Transfer Assets and Certificate Nos. 404-W and 341-S to Pluris Wedgefield, LLC in Orange County, Florida – Filing objections by Mike Dydo by e-mail May 18, 2009.
- c. Mike Dydo
- d. 1 page
- e. Letter to Commission Clerk and Rose, Sundstrom & Bentley, LLP detailing 2 objections.

DOCUMENT NUMBER-DATE

04913 MAY 19 8

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