

Dorothy Menasco

090093-WS

From: DOECOTTAGE@aol.com
Sent: Friday, May 22, 2009 10:02 AM
To: Filings@psc.state.fl.us
Subject: Docket #090093
Attachments: newwater attachment.doc

From: Linda Doepker (Doecottage@aol.com)
Sent: Thursday, May 21, 2009 4:40 PM
To: Filings@psc.state.fl.us
Subject: Docket 090093

Attachments: Heather Hills May 21, 2009 Letter of Objection doc.

I would like to formally object to Docket 090093 - Application for approval of transfer of Keith and Clara Starkey dba Heather Hills Estates water and wastewater utilities, holder of Certificate 577-W and 498-S to Heather Hills Utilities , LLC (Rick and Chris Stephens) in Manatee County.

Linda Doepker
303 50th Avenue Plaza West
Bradenton, Florida 34207
941-753-7357

763 Treat Blvd.
Tallmadge, Ohio 44278
330-633-2213

Doecottage@aol.com

Docket #090093

For: Linda Doepker

Total number of pages - 4

A consumer objection of the transfer of the utility from Keith & Clara Starkey to Rick & Chirs Stephens

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*Done
6/3/09
R.J.N.*

DOCUMENT NUMBER-DATE

05089 MAY 22 8

FPSC-COMMISSION CLERK

5/22/2009

Director, Division of Commission Clerk and Administrative Service
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Docket 090093 Application for approval of transfer of Keith and Clara Starkey d/b/a Heather Hills Estates Certificate 577-W and 498-S, to Heather Hills Estates Utilities, LLC in Manatee County

From: Linda Doepker
303 50th Avenue Plaza West
Bradenton, FL 34207
763 Treat Blvd.
Tallmadge, Ohio 44278

s/ Linda Doepker

Dear Director:

By this second letter may I further clarify my first letter sent to the Commission this same day. The first letter is attached and made a part of this second letter. (Attachment "A") Please accept the first letter and this second letter as my formal objection to the proposed transfers of the subject water and wastewater certificates to Heather Hills Estates Utilities, LLC ("Proposed Transferee"), and my request for the Commission to conduct a formal evidentiary hearing to determine if the proposed transfers are in the public interest.

I do not believe the transfer of the two certificates are in the public interest for all of the reasons stated in my earlier letter e-mailed to you today, as well as for the following additional reasons:

1. The Proposed Transferee does not have adequate experience in water and wastewater utility operations.
2. The Proposed Transferee does not have the financial ability to provide service.
3. Given the information supplied in the application I do not believe the Transferee will be able to fulfill the commitments, obligations and representations of Seller with regard to utility matters.
4. The Proposed Transferee has failed to conduct a reasonable investigation of the current conditions of the water and wastewater systems proposed to be acquired.
5. The Proposed Transferee has failed to adequately inform the customers and the Commission of the list of improvements and repairs that need to be made to the water and wastewater systems and the approximate cost of these needed repairs and improvements.
6. The proposed transfers of these two certificates are substantially inferior to other alternatives available for the future operation of the water distribution and wastewater collection systems currently serving Heather Hills Estates.

Respectfully submitted,

s/ Linda Doepker

DOCUMENT NUMBER-DATE

05089 MAY 22 8

FPSC-COMMISSION CLERK

Attachment "A"

Florida Public Service Commission
3540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket #090093

Application for approval of transfer of Keith & Clara Starkey d/b/a Heather Hills Estates
Certificate 577-Wand 498-S, to Heather Hills Estates Utilities, LLC in Manatee County

To Whom It May Concern:

I am writing this letter to express my deep conviction that this transfer will be extremely costly and detrimental in many ways for the residents of our mobile home subdivision. Please review my letter of July 28, 2008 written to the FPSC regarding the previous attempt to transfer this same outdated and poorly maintained water system to Ni America/Ni Florida last year around this same time period. At that time the price to Ni Florida was **\$277,500.00** and interestingly it has dropped to **\$123,000.00** about seven months later. My understanding is the system is valued at less than **\$1,000.00**. In my opinion, the two contract prices for the transfer of this low valued system should be enough to bring questions about the games being played by Keith and Clara Starkey.

My husband and I have been seasonal residents of Heather Hills for thirteen years and have been very active members of our property/homeowners association and are familiar with the antics of the Starkeys with respect to the residents of our park. I feel the only concern for our wonderful people has been the payment of assessments. We have found ourselves the subject of legal action over the last five years that has been relentless and, at times, brutal, not to mention the extreme amount of money we spent in an effort to defend ourselves in the law suits filed by the Starkeys against the association. If you refer to my letter of July 28, 2008, you will gain some knowledge of the history of this situation.

My motive for writing today is to ask you, to request with extreme seriousness, that you review this current transfer in great detail. The residents once again find themselves to be at the mercy of the owners of a clubhouse that is over 40 years old (which should indicate my concern for its present day condition) and a shuffleboard court (which the association members maintain). They DO NOT own the land in the park. The homeowners own their land. The Stephens have contracted with the Starkeys to buy ONLY the small amount of land the clubhouse and shuffleboard courts occupy. Please, PLEASE, consider the amount of indebtedness this entails for the Stephens. Their financial statement indicates a hefty amount of personal debt in addition to the debt for the purchase of the amenities of Heather Hills. Now they come with another huge personal debt to the Starkeys to request this water utility transfer. It has been stated they intend to use the knowledge they gain from the Starkeys in managing this system. This sets off loud alarm bells for the residents. The Starkeys for years shut down the entire park to make repairs, without any notification or alerts to boil the water. We have had only two shut down notices for the frequent repairs that have been needed since we have lived in Heather Hills. How can this possibly be a safe way to manage a water system for a community of seniors? In addition, the testing of the water quality only began recently. The Starkeys operated under the radar for over 35 years! The FPSC apparently was not aware that this system even existed! Please understand how very much this concerns our community.

I also have much concern over the Stephens ability to manage the required time it takes to own and operate Heather Hills Estates, not to mention the addition of Heather Hills Utilities, along with

their full time jobs, family obligations, and personal time commitments. All of us are given only 24 hours a day, seven days a week. There comes a time when you must recognize there is only so many things you can fit into that time frame. If there is any area that would be given the short side of their commitments, do you understand why many of us suspect that Heather Hills will be the area of slack? At this point in time, the residents are not allowed to even ask questions regarding the park. If they should go to the office (during the short time it is staffed) and request information, they are given the Stephens attorney's card, and told they can pay for answers if they want them. Or, as in my own personal experience, they are ordered out of the office with emphasis. Is it any wonder we doubt this transfer will be to our benefit? The Stephens can hardly ignore their full time paid positions or their families. This community will most likely be the area that gets ignored to the point of failure. If a water line breaks, and there is no one available to attend to it, who suffers? The Stephens are simply the next generation of middle man that we must pay to have a water system, that to the best of my knowledge, has been ignored (I understand that at one time Keith Starkey was ordered to replace all the meters in the park, twenty five a year until they were all replaced - that never happened) and only maintained at the barest of minimums. In my opinion it has always been about the money. Making a profit. While profit is not a bad thing, if the county operated our water system (and our water is obtained from the county) we would not be subjected to this haphazard way of running this system, plus we could eliminate the costs passed on to us simply to bring more profit to the owners of the amenities and the utility. This is NOT a good system for us as rate payers for this utility. Surely we are entitled to have a water utility ran by professionals who understand the task, and not merely someone who obtains the utility for their own financial gain.

I ask sincerely that you review this request for transfer with a fine tooth comb. Please ask yourselves if it were your home, or your parents place of residence, would you want this kind of system for your drinking water? Would you want something so vitally important ran by novices who have no formal training, who take this business on to make a profit? Why should the Starkeys be able to determine the value of this system only by what someone is willing to pay? Demand to see their receipts and proof of their claimed expenditures. The value of this system should be carefully determined. Our welfare is at stake. Our lifestyles and wallets are virtually under attack by park owners who have only one consideration, their personal gain. It is very obvious to me that neither the Starkeys, in their years of running and NOT maintaining this system, and now the Stephens who are not knowledgeable in this area and will be operating the system on a need to know basis at what could be to our detriment, have not been concerned about our community in the past, and apparently not in the future. Please consider that our senior life styles will be greatly affected by your decisions.

Thank you for your review of this transfer. Please consider every issue that may bring serious ramifications to each of us as residents of Heather Hills.

Sincerely,

Linda Doepker
303 50th Avenue Plaza West
Bradenton, Florida 34207
941-753-7357

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