

Ruth Nettles

090244-WU

From: Caroline Klancke
Sent: Friday, February 05, 2010 9:22 AM
To: Ruth Nettles
Cc: Tom Walden; Shannon Hudson
Subject: FW: TLP, Inc.'s current water leak

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 11589-09
DISTRIBUTION: _____

Please place the correspondence below in the Docket Correspondence: Consumers & Their Representatives section of Dkt. No. 090244. If you have any questions, please let me know. Thank you.

From: cherylhovath@aol.com [mailto:cherylhovath@aol.com]
Sent: Friday, February 05, 2010 7:54 AM
To: Tom Walden; Russell_Melling@dyh.state.fl.us; richard.lott@dep.state.fl.us; Jerry_Brown@doh.state.fl.us; Kyle.Kubaneck@dep.state.fl.us; Kim.Dodson@dep.state.fl.us
Cc: Shannon Hudson; cBulecza@psc.fl.us; bFletcher@psc.state.fl.us
Subject: Fwd: TLP, Inc.'s current water leak

To those addressed above:

see email below from Hennessy

Is this not ever going to END??

This is a serious issue that Lake county health department should be addressing. Both Lake County health department and FDEP was made aware of all this starting in April 2006.

Illegal water lines that have been bursting, crumbling, in canal water with E-Coli, no backflow/backflush valves, no boil water notice's sent to paying customers etc.etc.

2 years ago, Kyle Kubaneck was at my residence and witnessed illegal line placed on my property. There were 6 leaks in pipe, 2 of which were under my concrete driveway., Instead of addressing this as emergency, he addresses his attention solely on how charges could be made against Horvaths if illegal line is disconnected., (emails obtained verify). For over 2 years we were dealing with continual leaks , no boil water alerts issued nor did Lake County Health Department or FDEP treat as priority issue!

I find this all very disturbing!

Sincerely,
Cheryl Hilty-Horvath

-----Original Message-----
From: Claudia Hennessy <wfsailor@comcast.net>
To: Cherylhovath@aol.com
Sent: Thu, Feb 4, 2010 6:24 pm
Subject: Fwd: TLP, Inc.'s current water leak

Cheryl,
Here's a copy of an email I sent to DEP and also to the PSC regarding written complaints.

Claudia
Did Shannon talk to you today?

Begin forwarded message:

2/5/2010

From: Claudia Hennessy <wfsailor@comcast.net>
Date: January 4, 2010 10:01:51 PM EST
To: Kim Dodson <kim.dodson@dep.state.fl.us>, Claudia Hennessy <wfsailor@comcast.net>
Cc: Roy Carter <rcarter71@embarqmail.com>
Subject: TLP, Inc.'s current water leak

Hi Kim,

First, Happy New Year.

We have a current situation that I think you need to be aware of. There is a leak in a metal pipe in Roy Carter's front yard (Lakeside Lane resident) that is spouting some water.

Roy notified Bill Carey about the leak on Saturday and Bill had a plumber come out to fix it. It is the cross-canal metal pipe that runs directly from the trailer park, through Hooten, Nichols, Ault and Carter's yards before it makes a turn to cross the canal. It connects water from the park to the last two homes on the south end of Canal Street.

(Bill was surprised to finally find the location of that cross-connection. He said he never knew it was there. Shouldn't that pipe appear somewhere on the engineering drawings he submitted to the DEP?)

Since there is a hole in the pipe, Bill Carey shut the water off to stop the leak. When he returned home, Mrs. Campbell called and said that their water was shut off. So Bill went back down to Roy's and turned it back on.

Roy mentioned the need for a boil order and Bill said one was unnecessary since the water had not been shut off for at least 15 minutes. My question/concern is shouldn't a boil notice have been given as dirt and other contaminants could have "invaded" the hole while the water was shut off regardless of the length of time?

The water is still spouting and I am not sure when the pipe will be repaired.

It would seem to me that this is a public health and safety issue that should be quickly addressed.

Thank you for your attention to this concern.

Claudia Hennessy
352-343-8575 (home)
847-867-0712 (cell)

090244

RECEIVED-FPSC

Application for a staff-assisted rate case by

TLP Water, Inc.

10 JAN -4 AM 9:43

DOCKET NO. 090244-WU

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
DOCUMENT NO. 11589.09
DISTRIBUTION: _____

COMMISSION
CLERK

Name LARRY SHUTT

Address LOT 32 3 LAKES PARK

If you want to let the Public Service Commission know how you feel about this case, you may fill out this comment form and return it by mail, or send a fax to 1-800-511-0809. Correspondence will be placed in the file of this docket.

CONSUMER COMMENTS

I DONT UNDERSTAND WHY 3 LAKES PARK HAS TO PAY AN INCREASE WHEN WE PAID OVER ^{\$}100,000 FOR THE WATER SYSTEM AND WHEN LAKE SIDIE SAID WE PAID NOTHING FOR WATER THEY ARE 100% WRONG A BIG PART OF OUR MONTHLY DUES GOES TOWARDS OUR WATER UPKEEP & MONTHLY BILLS ON IT. THEY ARE THE ONES THAT HAVE PAID NEXT ^{TO} NOTHING. MOST OF THE PEOPLE IN 3 LAKES ARE RETIRED WITH FIXED IN COMES THEY JUST DONT HAVE THE EXTRA MONEY TO PAY A HIGHER WATER BILL. THER ARE AT LEAST 12 PLACES FOR SALE BECAUSE OF THE WATER BILL'S. PEOPLE ARE AT THERE LIMITS.

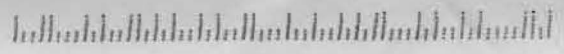
Mr. Larry Shutt
11010 Ross St.
Leesburg, FL 34788 ★

POSTNET 65455
02 JAN 10 PM 4 T



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

32399+0850



Fold Here

Tape

Fold Here

12203 Lakeside Lane
Tavares FL 32778
December 12, 2009

Florida Public Service Commission
Division of the Commission Clerk
And Administrative Services
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850

**Re: Docket No. 090244-WU
TLP Water, Inc.
Staff-Assisted Rate Case**

Thank you for giving the TLP, Inc., water customers the opportunity to voice their concerns and questions regarding the proposed rate increase at the December 9th meeting in Tavares.

I chose not to speak at that meeting but instead to send my questions and concerns in this follow up letter. Many of the items are related to the expenses provided by TLP that were taken into consideration by both the Staff Audit Report (9/24/09) and the Staff Report (11/18/09). I would like better verification of these expenses.

They are:

1. \$700 P.O. Box *increase* (listed in 6-08-09 letter from Mr. Carey to the PSC)

I called the UPS store closest to the bookkeeper's address and was given the following rates for a small, medium and large size boxes for 12 months: \$130, \$240 and \$312, respectively.

Next I called the US Post Office that services the 29414 zip code and was given information on 5 different PO Box sizes ranging from \$44 to \$410 per year.

Those figures make the "\$700 per year increase" suspect.

2. \$1200/year Bookkeeper's rate was increasing \$100 per month on 1/2009."

What was the base salary prior to the increase and what changes in the bookkeeper's duties necessitated such an increase?

3. \$1500 to copy, mail, prepare information requested for PSC accountant, engineer.

When I requested copies of information from the PSC, I was told the charge to me was 5 cents (\$0.05) per page. By my calculations, if the total \$1500 went towards copying that would involve copying 30,000 (thirty thousand) pages!

4. \$1700 for Consultant hired to assist with PSC application process, copying, follow-up, etc.

Someone told the residents that some government agency was providing pro bono work for TLP. If so, is this a valid charge?

Some additional questions and concerns that I have include the following.

1. Appendices A and B are current MLS listings for two homes in Three Lakes Park. Under the section of HOA dues they both say that water is included in the \$110/month fee.

The current Park President told me that the homeowners are not currently paying the \$39 flat water rate. Is that why that income was not shown in the Staff Report (11/18/09)?

Will the homeowners be levied the additional monies when the rate increase goes into effect?

Should a spreadsheet, or other record keeping device, be maintained for each of the water customers showing payment?

2. What amount, if any, of the customers' fees are required to be put into an escrow account to cover maintenance and future repairs, etc.?

3. Where did the \$136,866 long-term loan money come from? I was told it came from CD's and other accounts that Three Lakes Park Coop owned. Did any of that money come from the water customers' monthly fees? If so, is it necessary for the customers to be required to repay the entire loan amount?

How is the loan being repaid and can we see a record of that repayment?

4. TLP, Inc., has insurance coverage. Exactly what does that insurance cover? Litigation fees, the vandalism to the tank that we were told occurred, etc.?

5. Are the TLP, Inc., water board minutes, books or any other pertinent records open to the public? If so, should the customers be notified of such meetings?

6. Who and how is the "vacation" period determined? Does it constitute at least a one-month period? Should the TLP, Inc., be notified in writing of our "vacation" period?

7. Once the rate increase has been approved in February, 2010, how long will that rate be in effect?

My overall concern has been that the expenses given to the PSC in regard to this proposed water rate increase are both correct and reasonable.

My hope is that in the future the TLP, Inc., will become more fiscally responsible thus ensuring for the public health and safety of its customers.

Sincerely,



Claudia A. Hennessy
352-343-8575

Appendix A



My Florida Regional MLS / Broker Synopsis Report / Not For Public Distribution

G4647207 **12315 US HIGHWAY 441, TAVARES**

County: Lake County Zip Code: 32778 Unit #: Status: Active
 Sub. Name: THREE LAKES MOBILE HOME PARK List Price: \$79,000
 Beds: 2 Baths: 1 SqFt Heated: 864 Year Built: 1970
 Pool: N Property: Manufactured/Mobile in Park Special Sale: None
 Total Acreage: Zero Lot Line Total SqFt: ADOM: 209
 Location: City Limits CDOM: 209

MEASUREMENTS APPTS. THIS IS A CLUTE PLACE RIGHT ON THE LAKE WHAT A VIEW. GREAT SNOW BIRD HIDE AWAY . FURNISHED AND READY FOR YOU. BEAUTIFUL SUN SETS. AND GREAT FISHING. CLOSE TO GOOD RESTURANTS AND SHOPPING AREAS. CLOSE TO HOSPITALS ALSO.I

Land, Site and Tax Information

SE/TP/HU: 30-19-26 Subdivision #: 1000 Section #: Block/Parcel: 000 Front Exposure: Lot #: 01800
 Tax ID: 30 19 26 1000 000 01800 Alt.Key/Folio #: 3445732 Additional Parcel: Mill Rate: Annual CDD Fee:
 Taxes: \$1,225.00 Tax Year: 2008 Homestead: Other Exemptions: CDD: Annual CDD Fee:
 Legal Description: THREE LAKES MOBILE HOME PARK LOT 18 (ORB 1203 PG 795) ORB 2801 PG 1846
 Ownership: Co-op Complex/Community Name: Book/Page: 1203/0795 Floor #: MH Make: Zoning: RM Future Land Use: Zoning Comp.: Min Lease: Lease # Per Year:
 Lot Dimensions: Lot Size(Acres): Lot Size(SqFt): Max Pet Weight:
 Water Frontage: Lake/Chain, Lake Water Access: Water Name: CHAIN OF LAKES
 Water View: Lake Water Extras: BoatRamp-Prvt, SeawallOtr Waterfront Feet:

Interior Information

Living Room: 13X12 Master Br.: 12X09 3rd Bedroom: Great Room: Sqft Source: Measured
 Family Room: 16X12 2nd Bedroom: 11X08 Studio: Air Conditioning: Central,Wall Units/Window
 Kitchen: 10X10 3rd Bedroom: Dinette: Heat & Fuel: Fuel - Electric
 Dining Room: 4th Bedroom: Bonus Room: Floor Covering: Carpet,Vinyl
 Fireplace: Balcony/Porch: Security System:
 Utilities Data: Cable Available,Electric,Private Municipal Water,Septic
 Interior Layout:
 Interior Features:
 Master Bath:
 Appliances Incl: Hot Water Electric,Range,Range Hood,Refrigerator
 Kitchen: Pantry Additional Rooms:

Exterior Information

Ext. Construction: Style: Pool:
 Exterior Features:
 Garage/Carport: 1 Car Carport Roof:

Community Information

Community Features: Asso Rec Own, Comm Boat Ramp, Deed Restr, Fees Req, HOA Required, Water Access

Maintenance Includes: Trash Remv, Water/Sewer

Housing for Older Persons: FCHR Website Y/N: Expire/Renewal Date:
 HOA Fee Required: Y HOA Fee: \$110.00 HOA Payment Schedule: Monthly No.Maint.\$(addition to HOA):
 Elementary School: Middle School: High School:

Realtor Info

List Agent: MARLENE COOK Agent ID: 260562264 Agent Direct: 352-343-5500
 Sales Team: ERA TOM GRIZZARD, INC E-mail: C21cookie@aol.com Agent 2 Phone:
 Office: Office ID: 400250 Agent Fax: 352-742-9096
 List Date: 04/04/2009 Original Price: \$89,000 LP/SqFt: \$91.44 Agent Pager/Cell: 352-455-8000
 Contract: Previous Price: \$89,000 SP/SqFt: Office Phone: 352-343-5500
 Exp. Clg Date: Price Change: 06/26/2009 LP/SP Ratio: Office Fax: 352-343-5522
 Sold Date: Sold Price: Owner: CERIAN MICHAEL L & DIANE M Owner Phone:
 Off-Market: Days to Contract: Listing Type: Exclusive Right to Sell Spec Listing Type: Not Applicable
 Withdrawn: Days to Closed: Expiration Date: Call Center #:
 Sold by: Office:
 Management Comp Info: Financing Avail:
 Buyer Agent: 3% Non-Rep: 0% Trans Broker: 3% Terms: Seller Credit:
 Realtor Info:
 Confidential Info:
 Showing Instructions: Call Office, Key in L.O
 Driving Directions: FROM TAVARES GO WEST ON 441 TO RIGHT INTO THREE LAKES PARK AND MAKE A RIGHT TO THE HOME ON LEFT ON THE LAKE

Realtor Only Remarks:

Appendix B



My Florida Regional MLS / Broker Synopsis Report / Not For Public Distribution

G4630618 12315 US HIGHWAY 441 HWY # 3, TAVARES

County: Lake County Zip Code: 32778 Unit #: 3
 Sub. Name: THREE LAKES MOBILE HOME PARK Status: Active
 Beds: 3 Baths: 1 SqFt Heated: 1,000 List Price: \$65,000
 Pool: N Year Built: 1965
 Property: One Story Manufactured/Mobile in Park Special Sale: None
 Total Acreage: Up to 10889 Sq. Ft. Total SqFt: ADOM: 656
 Location: Close to Bus, Hwy Frontage, In County,Level,Street Paved CDOM: 656

CHAIN OF LAKE ACCESS, COVERED BOAT SLIPS, BOAT RAMP, NEW SEAWALL, LAKEFRONT COMMUNITY ONLY 40 MINUTES TO ORLANDO, ON LAKE EUSTIS, ONE OF THE LARGEST LOTS IN PARK, REGIONAL MALL WITH 2 MILES, ONLY 33 HOMES IN PARK, COVERED PARKING FOR TWO CARS. FISHERMAN'S DREAM, RESTAURANTS WITH 2 MILES, BETWEEN TAVARES & LEEBSBURG,

Land, Site and Tax Information

SE/TP/RG: 30-19-26 Subdivision #: 1000 Section #: Block/Parcel: 000 Front Exposure: North
 Tax ID: 30 19 26 1000 000 00300 Alt.Key/Folio#: 3445597 Additional Parcel: N Mill Rate: Lot #: 00300
 Taxes: \$722.00 Tax Year: 2008 Homestead: N Other Exemptions: CDD: Annual CDD Fee:
 Legal Description: THREE LAKES MOBILE HOME PARK LOT 3 (ORB 1203 PG 795) ORB 3054 PG 2071
 Ownership: Co-op Complex/Community Name: THREE LAKES Book/Page: 1203/0795 Floor #:
 MH Make: Zoning: 0225 Future Land Use: Zoning Comp.: Y Min Lease: Lease # Per Year:
 Lot Dimensions: 42x110 Lot Size(Acres): Lot Size(SqFt): Max Pet Weight: 25
 Water Frontage: Water Access: Lake/Chain, Lake, Canal-Fresh Water Name: LAKE EUSTIS
 Water View: Water Extras: DockOnSite, SeawaROtr Waterfront Feet:

Interior Information

Living Room: 11X13 Master Br.: 09X08 5th Bedroom: Great Room: Sqft Source: PUBLIC records
 Family Room: 09X18 2nd Bedroom: 09X07 Studio: Air Conditioning: Central
 Kitchen: 10X11 3rd Bedroom: 09X13 Dinette: Heat & Fuel: Central
 Dining Room: 4th Bedroom: Bonus Room: Floor Covering:
 Fireplace: Balcony/Porch: Security System:
 Utilities Data: Cable Available,Private Utilities,Private Sewer,Street Lights
 Interior Layout:
 Interior Features: Wsh/Dry Klup
 Master Bath:
 Appliances Incl: Dishwasher,Range,Range Hood,Refrigerator
 Kitchen: Additional Rooms:

Exterior Information

Ext. Construction: Style: Pool:
 Exterior Features: Mature Landscaping,Utility Shed
 Garage/Carport: 3+ Car Carport,Attached Roof:

Community Information

Community Features: Boat Slip, Dock, HOA Required, Pets Permitted, Water Access, Wtrfnt Complex, Fishing Pier, Comm Boat Ramp

Maintenance Includes: Water/Sewer

Housing for Older Persons:
 HOA Fee Required: Y HOA Fee: \$110.00 FCHR Website Y/N: HOA Payment Schedule: Monthly Expire/Renewal Date:
 Elementary School: Middle School: High School: Mo.Maint.S(addition to HOA): \$0.00

Realtor Info

List Agent: MARK GUARINO Agent ID: 260510029 Agent Direct:
 Sales Team: E-mail: lakecorealtyinc@aol.com Agent 2 Phone:
 Office: LAKE COUNTY REALTY, INC. Office ID: 20226 Agent Fax:
 List Date: 01/13/2008 Original Price: \$79,000 LP/SqFt: \$65.00 Agent Pager/Cell: 352-455-6642
 Contract: Previous Price: \$79,000 SP/SqFt: Office Phone: 352-357-4400
 Exp. Clg Date: Price Change: 06/19/2008 LP/SP Ratio: Office Fax: 352-357-4404
 Sold Date: Sold Price: Owner: GUARINO MARK A Owner Phone:
 Off-Market: Days to Contract: Listing Type: Exclusive Right to Sell Spec Listing Type: Not Applicable
 Withdrawn: Days to Closed: Expiration Date: Call Center #:
 Sold by:
 Management Comp Info: Financing Avail:
 Buyer Agent: 4% Non-Rep: 0% Trans Broker: 4% Terms: Seller Credit:
 Realtor Info: Asso Appr Req, Not OK to Lease, Ovrn consider fin, Sold As-Is, Vacant
 Confidential Info: Vacant
 Showing Instructions: Call 1st, Call Agent, Call Office, LB Elec.
 Driving Directions: FRONTS ON HWY 441 WEST FROM HWY 19, RIGHT ON PRIVATE STREET INTO THREE LAKES MOBILE HOME PARK, ACROSS THE STREET FROM ANGELO'S RESTAURANT EAST OF DEAD RIVER BRIDGE, ON HWY 441, IN PARK MAKE RIGHT AND HOME IS 3RD ON RIGHT, SEE SIGN
 Realtor Only Remarks: CHAIN OF LAKE ACCESS, COVERED BOAT SLIPS AVAILABLE FOR \$250.00 ANNUALLY, VERY CLOSE TO SHOPPING, CENTALLY LOCATED BETWEEN TAVARES AND LEEBSBURG ABOUT 45 MINUTES TO ORLANDO, COVERED CARPORT, VERY LARGE LOT,

090244

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
NANCY ARGENZIANO
NATHAN A. SKOP
DAVID E. KLEMENT

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

RECEIVED-FPSC
09 DEC - 8 PM 2:44
COMMISSION
CLERK

Public Service Commission

December 8, 2009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 11589-09		
DISTRIBUTION: _____		

Mr. Roy F. Carter
12227 Lakeside Lane
Tavares, FL 32778

Re: Docket No. 090244-WU – Staff-Assisted Rate Case for TLP Water, Inc. in Lake County

Dear Mr. Carter:

Thank you for your letter in which you had some concerns about the TLP Water, Inc.'s (TLP or Utility) proposed rate increase. To ensure that the Commission staff and the Commissioners have knowledge of your concerns, your letter has been placed on the correspondence side of the docket file for all to review. This letter is to address the questions contained in your letter dated November 30, 2009.

Staff engineer, Tom Walden, spoke with staff of the Florida Department of Environmental Protection (DEP) regarding the Utility's discontinuation of the iron filters. According to DEP, TLP was issued a notice of violation for its failure to obtain DEP's approval prior to discontinuing use of the iron filters. However, after a review of compliance monitoring data, DEP agreed to accept the discontinued use of the iron filters because all results for iron had been below the maximum contaminant level (MCL) since 1993. This means that while there is some iron in the water, the level does not exceed standards set forth by the DEP.

Thank you for the correct name for the old fish camp being Carl's Camp. We will make that correction in our records.

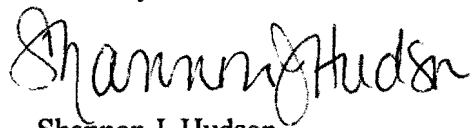
For the water line replacement, generally, when a water line is replaced, the new line parallels the old line so that restoring the connections to the existing customers is made easily because the customers' service lines are adjacent to the new line. DEP's review is to ensure compliance with horizontal separations between underground water mains and on-site sewage treatment and disposal systems. DEP has concerns about this replacement line because the underground water distribution main alterations, replacements, and extensions made by the utility were accomplished before the Utility had obtained a permit, and therefore are of an undetermined, undisclosed nature and extent. The line should have been inspected by a licensed professional engineer while the line was excavated.

Mr. Carter
Page 2
December 8, 2009

The new line that was installed is PVC and has not yet been approved by the DEP. While PVC is less expensive than some other varieties of pipe, it is widely used by utilities and is a durable product. Cut off valves should be installed on each customer's service line, immediately ahead of each customer's meter. If you shut off your water, it should not shut off the water to customers beyond you. If that is the set up now, we will instruct TLP Water to modify the distribution system to prevent this from occurring. You are correct that if the customers beyond your home have the water to them cut off, a boil water notice would likely be required. Boil water notices are not required for planned outages when repairs are necessary, when notices to the customers are provided ahead of time, and when the system has been adequately flushed after a repair.

Finally, if you wish to contact staff members assigned to this docket, you may call Tom Walden at 850-413-6950 for engineering questions, or Caroline Klancke at 850-413-6220 for legal questions.

Sincerely,



Shannon J. Hudson
Regulatory Analyst IV

SH/

cc: Division of Economic Regulation (Bulecza-Banks, Fletcher, Walden, Daniel)
Office of the General Counsel (Klancke)
Office of Commission Clerk (Docket No. 090244-WU)

Mr. Carter
Page 2
December 8, 2009

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Finally, if you wish to contact staff members assigned to this docket, you may call Tom Walden at 850-413-6950 for engineering questions, or Caroline Klancke at 850-413-6220 for legal questions.

Sincerely,



Shannon J. Hudson
Regulatory Analyst IV

SH/

cc: Division of Economic Regulation (Bulecza-Banks, Fletcher, Walden, Daniel)
Office of the General Counsel (Klancke)
Office of Commission Clerk (Docket No. 090244-WU)

Katie Ely

090244

From: Katie Ely
Sent: Tuesday, December 08, 2009 1:31 PM
To: Ruth McHargue
Subject: FW: To CLK Docket 090244

Thank you for this information. This attachment has been printed and will be placed in Docket Correspondence - Consumers and their Representatives, in Docket 090244

Katie Ely
Staff Assistant - Office of Commission Clerk Florida Public Service Commission
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

-----Original Message-----

From: Ruth McHargue
Sent: Tuesday, December 08, 2009 12:58 PM
To: Katie Ely
Cc: Ann Cole; Dorothy Menasco
Subject: FW: To CLK Docket 090244

Customer correspondence

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>11589-09</u>		
DISTRIBUTION: _____		

-----Original Message-----

From: Consumer Contact
Sent: Tuesday, December 08, 2009 11:32 AM
To: Ruth McHargue
Subject: To CLK Docket 090244

Copy on file, see 909573C. DH

-----Original Message-----

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Monday, December 07, 2009 11:49 AM
To: Consumer Contact
Subject: E-Form Repairs TRACKING NUMBER: 22689

Complaint filed with PSC

Select County: LAKE
CUSTOMER INFORMATION

Name: cheryl Hilty-Horvath
Telephone: 352-638-5688
Email:
Address: 12127 Lakeside Lane Tavares 32778

BUSINESS INFORMATION

Business Account Name: Cheryl Hilty-Horvath Account Number:
Address: 12127 Lakeside Lane Tavares FL 32778

COMPLAINT INFORMATION

Complaint: Repairs against TLP Water, Inc.

Details:

- 1) placed lines without permits, code compliance thru drainfields, septic tanks on various residents land and on my property with no authorization. After numerous warning/demand letters from FDEP in 2000, 2001, 2002, 2003, 2004, 2005 2006, President of TLP failed to correct and totally ignored warning demand notices. Threatened homeowners to shut water off if they did not allow access to their property.
- 2) Failed to include monies received from homeowners with filing for rate increase.
- 3) William Carey elected himself as president of TLP, Water Inc. and should not be operating water utility company.

PSC was contacted previously

Katie Ely

090244

From: Katie Ely
Sent: Monday, December 07, 2009 10:22 AM
To: 'Roy Carter'
Subject: RE: Doc 90244

Mr. Carter,

I have received your e-mail and have forwarded to the staff working on this docket to answer your questions. I will add your e-mail to consumer correspondence.

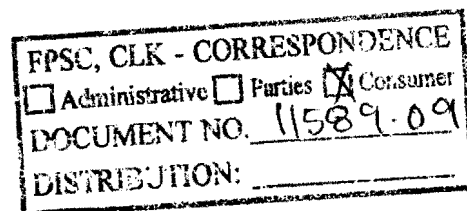
In the future please e-mail: contact@psc.state.fl.us if you have questions or comments.

Katie Ely
Staff Assistant - Office of Commission Clerk Florida Public Service Commission
850-413-6304

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

-----Original Message-----

From: Roy Carter [mailto:rcarter71@embarqmail.com]
Sent: Monday, December 07, 2009 1:10 PM
To: Katie Ely
Subject: Doc 90244



A few more questions for the meeting on Dec. 9th if it is not to late.

Copy of audit.

How do you justify allowing a system to operate without fiscal responsibility?

Billing, do you have a spreadsheet that lists all 53 customers and their payments?

Copy of Water System Business Plan.

How does the system plan to meet its current needs?

Copy of Budget

How do you justify a rate increase without fiscal responsibility?

What ab out input from the other customers. The system was given to Three Lakes Park it was not purchased. They have failed to show competence in its operation.

Should not a board made up of a least one resident of Lakeside Lane and one resident of Canal Street be selected to be on a board of 4 members?

If a board of 4 is not acceptable, a board of 5 made up from all

customers elected by all customers?: (This is a not-for-profit water system; there is no money to be made!)

Roy F. Carter

090244

RECEIVED-FPSC

09 DEC -4 AM 8:48

Untitled

COMMISSION
CLERK

DISTRIBUTION CENTER
09 DEC -4 PM 7:16

certified mail # 7019282000086936828

To: Ann Cole - PSC

November 30, 2009

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 11589-09		
DISTRIBUTION: _____		

RE: TLP Water, Inc. Annual Report

&

Horvath Residence 12127 Lakeside Lane, Tavares, Fl

DISPUTE OF \$2582.00 PER HOME FOR NECESSARY UPGRADES

In reviewing the annual report under contributions in aid of construction. Again, false data. The Horvaths have paid 3 Lakes Park Co-op/TLP Water inc for the water distribution lines to Horvath residence. They have failed to post these contributions.

William Carey had "our" water line cut and disconnected leaving us without water in attempts to force us to grant 3 lakes Park/TLP access to our property for water distribution lines.

We did not grant access, but did contribute monies for connection.

William Carey has FAILED to include these monies received from the Horvaths.

SINCERELY,

Cheryl Hilly Horvath
lot 1
12127 Lakeside Lane
Tavares, Fl
32778



090244

09 DEC -4 PM 7:15
DISTRIBUTION CENTER

RECEIVED-FPSC

09 DEC -4 AM 8:47

Certified Mail

November 28, 2009

COMMISSION
CLERK

Ann Cole, Commission Clerk - PSC Office of Commission Clerk
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, Fl
32399-0850

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 11589.09		
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RE: **DOCKET # 090244-WWU,TLP WATER, INC.**

Dear Ann Cole,

This letter is to inform you of the following **FALSE DATA** which was filed by William Carey legal representative of 3 lakes Park Co-op/TLP Water Co.

CASE BACKGROUND-correction

1945 Agreement on Deed requires 3 Lakes Park Co-op to supply water to residents of Lakeside lane. **No requirement to Canal St.** Majority of residents on Canal St have **always** had private well for water and recently received new permit for new well drilling to cover water consumption for 4 add'l homes on Canal St. (this is public record, why has this not been stated to PSC. Lake County and FDEP have knowledge of this. Also know, residents of Lakeside Lane and Canal St are a seperate community from Co-Op. We have **no** connection to Co-Op except for water. Majority of residents of Lakeside Lane and Canal st. desire and will persue all necessary means of obtaining city water/sewer. Mr. Alan Hayes and Mr. Skutt at the City of Tavares have reviewed the 52 counts FDEP placed against 3 Lakes Park Co-Op and determined corrections necessary could cost in excess of \$400,000. With all the septic systems in mobile home park and majority in Sunset View-lakeside In and Canal St needing replacement due to placed in the 1940's-50's and many collapsed and/or inoperable causing many to share septic systems and cost of new high tech systems, **it makes more economical sense to receive city water and sewer.**

Drawings submitted to PSC by William Carey/3 lakes Park/TLP Water Co, Inc are completely inaccurate. FDEP and lake County are aware of William Carey submitting 3 drawings in regards to the water distribution lines along Lakeside Lane crossing to canal st. All 3 drawings show a different location of water distribution lines. Per PSC documents, drawing selected and used for submission shows TLP/3Lakes Park Co-op utilizing my residence 12127 Lakeside Lane. FDEP and lake County has knowledge of correct distribution lines. 2 cast iron pipes/lines which fall in middle of Lakeside Lane and cross over canal water to Canal St. These 2 cast iron lines have corroded and were replaced by William Carey/3Lakes Park with a poly hose which is meant for interior use., certainly not for canal water where boats travel daily and oil/gas can penetrate poly hose.

It needs to brought to your attention, there is **NO** utility easement on my property nor will I grant access to my property for water distribution lines on my property.. FDEP and Lake County has been made aware of my position on numerous occasions. Also, please know I have obtained a very old survey which clearly shows **no** water distribution lines on my residence. William Carey did place water lines on my property while residing in Fort Lauderdale in 2005. (see attached email from Richard Lott to Vivian Garfien 02/16/07) EXHIBIT A

There was no water to property at time of building. After water line was installed from adjacent neighbor to my residence, William Carey tapped directly into my water line and laid improper pipe crossing from my seawall directly across canal to Canal St. Due to William Carey's **ignoring** orders from FDEP and lake County to remove, I had to take legal action against 3 Lakes Park Co-op. Through mediation, I was granted monies from 3 Lakes Park for 3 lakes Park admitted to their illegal tampering with water distribution lines.

It also needs to be noted that per staff notes it states under "**Operation Conditions**" 2" water main, property owners refuse access to property to allow testing. This is completely untrue for many residents have continually contacted lake County as well as FDEP with deep concern over poly hose which has no **backflow/backflush** valves and is vulnerable to boat traffic (see attached email from Richard Lott to Sterling Carroll 03/27/08). EXHIBIT B

Per staff notes it states "replacing a 2" water main that was leaking but property owner refuse access to property to allow testing. If this is referring to illegal line that was illegally placed on my property in 2005, that line was not a main nor was it **authorized** and it is no longer in existance. The FDEP and Lake County has received letter from property owner on Lakeside Lane, Mr. Jeffrey Vayanek, whom granted authorization to utilize his property for transporting water across canal

to Canal St. (SEE LETTER ATTACHED) EXHIBIT C

WE, THE RESIDENTS QUESTION HOW THE PSC CAN GRANT CERTIFICATE TO TLP WATER, CO. WHEN WILLIAM CAREY, PRESIDENT OF TLP HAS CONTINUALLY SHOWN NO CONCERN FOR WATER SAFETY FOR THE RESIDENTS OF SUNSET VIEW.

Staff Analysis - correction

There are 28 mobile homes not 32

21 homes - majority of homes on Canal St receive their water from own private well, not 3 Lakes Park Co-Op/TLP Water Inc.

Customer Satisfaction - correction

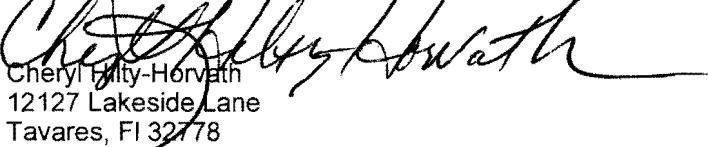
FDEP and Lake County Health Department has received numerous complaints from residents on Canal St and Lakeside Lane for many years. I have obtained copies of emails, letters, correspondence from FDEP, residents, Lake County, 3 Lakes Park Co-op and William Carey through means of litigation and freedom of information act.

The **complaints** are enormous in numbers and still remain unresolved. Your staff report states "**No Complaints**". Perhaps due to lack of communication with FDEP and Lake County this was overlooked.

I look forward to the December 9th meeting, until then

I remain

Sincerely,


Cheryl Hilty-Horvath
12127 Lakeside Lane
Tavares, FL 32778

PS. Lake County and FDEP is also aware that my residence utilizes property in it's entirety. Variance obtained when constructing home, house porch sits 2' from

seawall on lake, home sits (measuring A/C unit to seawall)

4' from side seawall, garage, drainfield, 3 septic tanks, driveway. Again, drawing submitted to your department is **grossly inaccurate** regarding my property/distribution lines.

cc: Thomas Walden
Kyle Kubanek FDEP
Christine Francescani FDEP
Cheryl Bulecza - PSC

* photo's of poly-line attached!

EXHIBIT A

Kubaneck, Kyle

From: Morrison, Paul
 Sent: Friday, February 16, 2007 3:35 PM
 To: Kubaneck, Kyle
 Subject: FW: 3 Lakes Water Coop

FYI. Paul
 Original Message-----
 From: Ferraro, Chris
 Sent: Friday, February 16, 2007 3:02 PM
 To: Garfein, Vivian; Lott, Richard
 Morrison, Paul; Prather, Jeff; Dodson, Kim; Lalonde, Stephanie
 Subject: RE: 3 Lakes Water Coop

see if the FRWA can help them find some funding. That would be my input...They often deal with sewer systems.

From: Garfein, Vivian
 Sent: Friday, February 16, 2007 1:50 PM
 To: Lott, Richard
 Ferraro, Chris; Morrison, Paul; Prather, Jeff; Dodson, Kim; Lalonde, Stephanie
 Subject: RE: 3 Lakes Water Coop

can discuss, but they need to find the money to do this. I don't know of alternatives. Work with Steph to find a time.

-----Original Message-----
From: Lott, Richard
 Sent: Friday, February 16, 2007 1:48 PM
To: Garfein, Vivian
Cc: Ferraro, Chris; Morrison, Paul; Prather, Jeff; Dodson, Kim
Subject: 3 Lakes Water Coop

Vivian:

You will recall that we met several weeks ago about this project in the conference room. They put in a water line illegally across Ms. Horvath's property and it was also placed through a canal. We sent them a Warning Letter and requested that they come in for a permit, provide a map of the distribution system showing the other canal crossings, etc.

Kyle just told me that he talked to Bill Carey of the 3 Lakes Water Coop and was told that they do NOT have enough money to perform the tasks that we required in our Warning Letter. They could pay for the General permit (\$250) but do not have the funds to construct the project.

Kyle called State Revolving Funds but the project cost is too small (must be >\$75,000) but perhaps they could get a loan from DCA.

Anyway, I think that we should discuss next week.

EXHIBIT B

From: Prather, Jeff
Sent: Thursday, April 03, 2008 11:21 AM
To: Lott, Richard
Subject: RE: 3 Lakes Park Water Distribution System

Importance: High

Have we heard back from Sterling?

From: Lott, Richard
Sent: Thursday, March 27, 2008 9:59 AM
To: Sterling Carroll
Cc: Prather, Jeff; Dodson, Kim; Mahmoud, Osama; Ferraro, Chris
Subject: 3 Lakes Park Water Distribution System

Sterling:

I wanted to make you aware that our staff has visited the "temporary line" that they were allowed to emplace as "maintenance" so as to retain water service to the homes on the other side of the canal. Our investigation shows that:

1. They may have greatly exceeded the purview of a temporary line with minimal length under the maintenance allowance.
2. The pipe that was emplaced may not be representative, either by location, material, or diameter, of that displayed on the permit application documents.
3. The materials of the existing system do not appear to be conducive for potable water usage;
4. The existing pipes do not appear to have an appropriate amount of cover;
5. The existing pipe diameters may not be appropriate;
6. Ancillary items such as valves may not have been placed appropriately on the system;
7. The new line still crosses through the water column of the canal such that it can still be hit by vessel traffic.

We are also investigating the recent charge that there was insufficient pressure in the system as a result of maintenance or pipe breaks and their failure to issue boil water notices or submit malfunction reports to the Department appropriately.

I would strongly advise you to personally investigate the layout, materials, testing, and disinfection of the system before you submit any further documents relating to either the permit, or in the future, the clearance. We would be pleased to meet you at the site and review our concerns with you.

Regards,
Richard Lott, P.G., P.E.
DEP Central District Drinking Water
TP# 407.893.3325
FAX# 407.893.4418

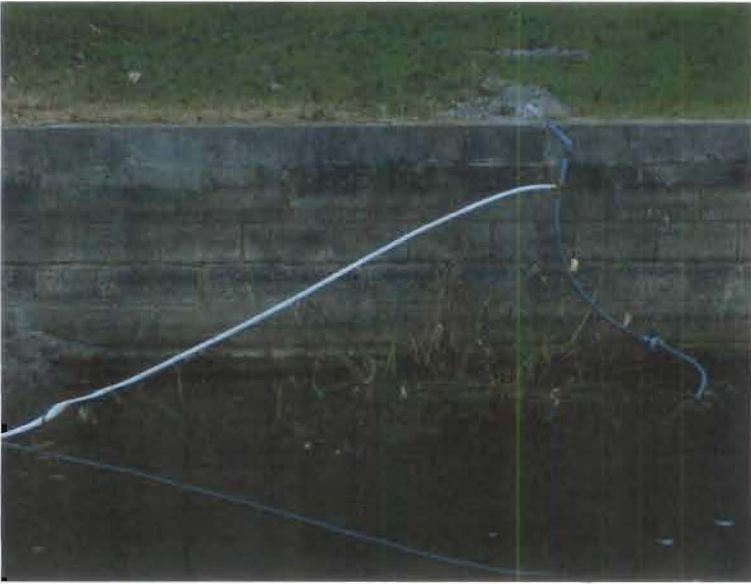
Near Ann Cole,

Here are photo's of
poly line 3 Lakes Park Co-op (Bill
Carey)
placed. We are still

dealing with this for drinking
water!

Cheryl (Skeggs)

TEMPERARY H₂O LINE TO CAMP SITE OVER SW AT



STILL NOT TO CODE

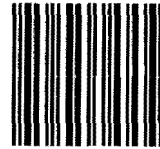
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32399

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*Re: Docket
090244
TLD WATER*

*Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL*

32399-0850

**RETURN RECEIPT
REQUESTED**

32399-0850

Att. Ann Cole

Katie Ely

090244

From: Pastor Anthony [psalms91fwc@embarqmail.com]
Sent: Thursday, December 03, 2009 1:16 PM
To: Katie Ely
Subject: TLP water meeting DEC. 9 2009

Katie Ely,

Hello,
I am a resident in Sunset View who receives H2O from TLP.
I have a few questions to consider prior to this meeting.

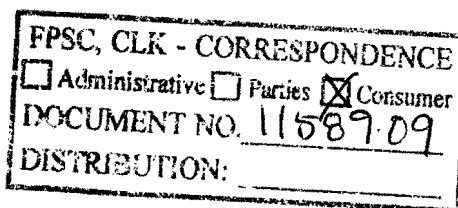
1. Public Health and Safety should be the number one priority for all state officials.
2. Why would the PSC issue an approved lic. for TLP to operate a Water system that is in violations according to the DEP.
3. Shouldn't the PSC, DEP, and the city of Tavares managers be in a discussion of how to best provide services to Sunset View Subdivision and TLP. I believe it is a waste of tax payer dollars to have branches of authorities over one aspect and not considering the bigger picture and future of Lake County.

It doesn't make sense trying to bring TLP into compliance when the city utilities, water and sewer are available and would provide a higher quality system and create a cleaner environment.

4. What are the project cost for TLP to upgrade this old system and provide water to it's customers per DEP regulations.

Thank You,

Anthony Frazier
12137 Lakeside Lane
Tavares, Fl. 32778



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09 NOV 30 AM 9:43

COMMISSION
CLERK

Roy F. Carter
12227 Lakeside Ln
Tavares, FL 32778
November 30, 2009

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09 NOV 30 PM 7:49

Direct, Office Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

CONSUMER

Docket No. 090244-WWU, TLP Water, Inc.

Dear Sir:

In response to your correspondence sent out by TLP Water, Inc., I have some questions for the Commission.

1. When the TLP Water, Inc. took over the water system from Three Lakes Park Coop, they disconnected the iron filters which causes us (the residents) to receive water full of iron which also causes us to have to change our water filters at least once per month. Why was this disconnection necessary?
2. In the information sent out from the PSC, they refer to the old fish camp as Cari's Camp. This is incorrect. The fish camp was called CARL'S CAMP, when it was built in 1940.
3. I cannot understand how an organization that is dedicated to serving the public's best interest can approve an application for a permit for a water company to run water to its customers with the pipe running through a septic drain field for roughly 32 trailers. These septic systems are known for backing up and running over due to 2 and 3 trailers being hooked to one septic tank when all the owners are here and the lake water is so high.
4. While the TLP was running new cheap PVC through our yards they installed water meters, At that time they also installed cut off valves, unfortunately on the wrong side of the meter. Therefore, if I have a problem with my water and have to cut it off, I will automatically cut off everyone else's water down the street and across the canal. This would require a boil water notice if I understand correctly.

I'm looking forward to your presentation on the 9th of Dec. and hope you have the answers to a lot of questions that the people of Sunset View have had for some time.

Roy F. Carter

DOCUMENT NUMBER: 047

11589 NOV 30 8

FPSC-COMMISSIONER