

MEMORANDUM

MARCH 11, 2010

RECEIVED-FPSC
10 MAR 11 PM 3:19

COMMISSION
CLERK

TO: ANN COLE, OFFICE OF COMMISSION CLERK

FROM: ERIK SAYLER, SENIOR ATTORNEY 

DOCKET NO. 0900093-WS Application for approval of transfer of Keith & Clara Starkey d/b/a Heather Hills Estates' water and wastewater utility, holder of Certificates 577-W and 498-S, to Heather Hills Estates Utilities, LLC, in Manatee County.

RE:

Please place the attached e-mail correspondence between myself and the parties to this docket regarding staff's desire for a status update.

Please note that additional correspondence may be appended to this memorandum.

ELS/th
Attachment

DOCUMENT NUMBER-DATE

01672 MAR 11 e

FPSC-COMMISSION CLERK

Erik Saylor

From: Erik Saylor
Sent: Thursday, March 11, 2010 2:58 PM
To: 'Missagape@aol.com'
Cc: 'Heather Hills Estates Stevens'; 'Mike Smallridge'; DOECOTTAGE@aol.com; Patti Daniel; Pat Brady; 'REILLY.STEVE'; Jennifer Brubaker
Subject: RE: HH Utility - Docket No. 0900093-WS - Heather Hills
Importance: High

Ms. Starkey,

With regards to your request, you should file your original cover letter, the petition letters, and several letters from the residents with the Commission Clerk in Docket No. 090093-WS. In addition, you should retain a copy of everything you are mailing to the Commission Clerk for your records and provide one copy for Mr. & Mrs. Stephens and one copy for Mr. Smallridge. In addition, Commission Staff would like one copy as well which you can direct to my attention.

Because this docket has been protested, you should also mail one copy of everything you are mailing to the Commission Clerk to both Ms. Doepker and Mr. Reilly. If you need their addresses, please let me know. They need to be provided an opportunity to respond to your letter.

As for copies to each Commissioner, there is no requirement that you mail them a copy. I believe that your filing will suffice. In addition, by this email, I'm requesting that we schedule a telephone conference as soon as possible to discuss this docket.

To all,

We need to schedule a telephone status conference with all the parties as soon as practical. The purposed will be to find out the status of this docket and to discuss possible ways to move this docket forward.

Please advise whether you are available for a conference call on Wed 3/17; Thurs 3/18; or Fri 3/19; and whether morning or afternoon works best for you. Thank you in advance.

If you have any questions, please let me know.

Sincerely,

Erik L. Saylor

Senior Attorney

Office of the General Counsel

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, FL 32399-0850

850-413-6199 - mainline

850-413-6084 - direct

850-413-6085 - fax

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From: Missagape@aol.com [mailto:Missagape@aol.com]

DOCUMENT NUMBER-DATE

01672 MAR 11 9

3/11/2010

FPSC-COMMISSION CLERK

Sent: Thursday, March 11, 2010 11:29 AM

To: Erik Salyer

Subject: HH Utility

Dear Mr Salyer, I am preparing to send cover letter for keith and I, the petition letters and several letters from residents on Friday. Will be sending it to the Clerk with the Docket #.

I have the Commission address, however I was wondering if I need to attach enough copies for each Commissioner? If so I will make copies for everyone.

Also do we send the original petitions to the Clerk and just keep copies in our file?

If I could get an answer today, i will work on it this evening after 6'PM.

Thanks so much, Clara Starkey

3/11/2010

DOCUMENT NUMBER - DATE

01672 MAR 11 2010

FPSC-COMMISSION CLERK

Erik Sayler

From: Erik Sayler
Sent: Monday, March 08, 2010 10:34 AM
To: 'REILLY.STEVE'; DOECOTTAGE@aol.com
Cc: Mike Smallridge; Patti Daniel; Pat Brady; 'HeatherHills Starkeys'; 'Heather Hills Estates Stevens'
Subject: RE: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Steve & Linda,
 Thank you for the updates.

Steve,
 When do you expect to hear back from the firm regarding the estimate? Is that something you are planning to file in the docket file? Also, is there a need to construct a new water system? How does this tie together with the application to transfer and the objection?

Regards,

Erik L. Sayler
 Senior Attorney
 Office of the General Counsel
 Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0850
 850-413-6199 - mainline
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From: REILLY.STEVE [mailto:REILLY.STEVE@leg.state.fl.us]
Sent: Thursday, March 04, 2010 6:02 PM
To: Erik Sayler; DOECOTTAGE@aol.com
Cc: Mike Smallridge; Patti Daniel; Pat Brady
Subject: RE: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

The Heather Hills system map has been sent to a firm to provide an estimated cost to construct a new water system to serve Heather Hills that meets Manatee County requirements.

From: Erik Sayler [mailto:esayler@PSC.STATE.FL.US]
Sent: Wednesday, March 03, 2010 12:11 PM
To: DOECOTTAGE@aol.com; REILLY.STEVE
Cc: Mike Smallridge; Patti Daniel; Pat Brady
Subject: RE: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Linda,

We're all sorry to hear about your mother. We hope she makes a speedy recovery.

Thank you for the update. Because we are in a protest posture in this docket, please be sure to carbon copy all parties on all correspondence when you email Commission staff. Regarding your water outage, did you contact the utility and how was it resolved?

DOCUMENT NUMBER-DATE

01672 MAR 11 9

3/11/2010

FPSC-COMMISSION CLERK

Steve,
Do you have any updates on your end?

Thanks,

Erik L. Saylor
Senior Attorney
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From: DOECOTTAGE@aol.com [mailto:DOECOTTAGE@aol.com]
Sent: Wednesday, March 03, 2010 11:55 AM
To: Erik Saylor; reilly.steve@leg.state.fl.us
Subject: Re: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Dear Eric and Steve.....I am in Ohio at this time.....Mother had a heart attack.....I will be back in Florida within a week or two.....depending on how things are here.....I have experienced a very unpleasant time over the recent water outage and feel convinced there remains little hope of any accuracy regarding this utility and its operation coming from the front office. At least that has been my experience this past week. It has been standard operating procedure for management to decide important issues during the summer months when many residents are out of HH I am hopeful we can do this in the fall when those who will be affected are able to be in Florida.....but with what is occurring here in Ohio.....I am well aware of what is most important. I will be in touch when I return to Florida.

Linda Doecker

In a message dated 3/2/2010 5:02:34 P.M. Eastern Standard Time, esaylor@PSC.STATE.FL.US writes:

To All,

Commission staff would like a status update on the negotiations regarding the protest and this transfer docket.

This docket was initially filed on February 27, 2009. The protest was filed on August 11, 2009. Since then there has been some discussions and negotiations. In early January 2010, I understand there was a meeting between OPC, the residents, and the Seller/Buyers. In addition, OPC requested and received a water system map. Since then, I have not received an update.

This afternoon, I received a phone call from the Sellers, inquiring when this matter will proceed forward. The Sellers indicated they plan to file something with the Commission in the near future, requesting that things move forward.

For scheduling purposes, Steve & Linda, would you please provide a status update? Thank you.

Sincerely,

Erik L. Saylor
Senior Attorney
Office of the General Counsel

3/11/2010

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From: REILLY.STEVE [mailto:REILLY.STEVE@leg.state.fl.us]
Sent: Monday, December 21, 2009 4:27 PM
To: Erik Saylor; DOECOTTAGE@aol.com; Mike Smallridge
Cc: Pat Brady; Patti Daniel
Subject: RE: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

I will be meeting with the customers involved with case in the late afternoon of 1/7/09. I have a meeting scheduled with the Starkey's, the Stephens' and Mike Smallridge at 10:00 AM, 1/8/09.

From: Erik Saylor [mailto:esaylor@PSC.STATE.FL.US]
Sent: Thursday, December 17, 2009 5:04 PM
To: REILLY.STEVE; DOECOTTAGE@aol.com; Mike Smallridge
Cc: Pat Brady; Patti Daniel
Subject: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Dear Linda & Steve & Mike,

Would you please provide Commission staff a status update on the negotiations regarding the protest of the Heather Hills application to transfer ownership? We have not heard anything as of late. Have you reached any decision? Please respond as we need to revise our internal case planning data system (or CASR) for this docket. Thank you in advance.

Respectfully yours,

Erik L. Saylor
 Senior Attorney
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Erik Sayler

From: Erik Sayler
Sent: Wednesday, January 13, 2010 2:00 PM
To: 'REILLY.STEVE'
Cc: Patti Daniel; Pat Brady
Subject: Heather Hills Transfer

Hi Steve,

Thank you for the update on Heather Hills meeting last week. At this time, I will not secure hearing dates. However, because this docket is stalled, would you please provide a letter or memorandum explaining to the Commission where you, the residents, and the buyer/seller are in the negotiating process and a time-frame of some sort for a resolution? That would be helpful. Otherwise, we will need to start reserving hearing dates on the Commission Calendar.

I know you're busy, but if you could provide this letter / memo later this week or early next.

Thank you,

Erik L. Sayler

Senior Attorney

Office of the General Counsel

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3/11/2010

Erik Sayler

From: REILLY.STEVE [REILLY.STEVE@leg.state.fl.us]
Sent: Monday, December 21, 2009 4:27 PM
To: Erik Sayler; DOECOTTAGE@aol.com; Mike Smallridge
Cc: Pat Brady; Patti Daniel
Subject: RE: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

I will be meeting with the customers involved with case in the late afternoon of 1/7/09. I have a meeting scheduled with the Starkey's, the Stephens' and Mike Smallridge at 10:00 AM, 1/8/09.

From: Erik Sayler [mailto:esayler@PSC.STATE.FL.US]
Sent: Thursday, December 17, 2009 5:04 PM
To: REILLY.STEVE; DOECOTTAGE@aol.com; Mike Smallridge
Cc: Pat Brady; Patti Daniel
Subject: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Dear Linda & Steve & Mike,

Would you please provide Commission staff a status update on the negotiations regarding the protest of the Heather Hills application to transfer ownership? We have not heard anything as of late. Have you reached any decision? Please respond as we need to revise our internal case planning data system (or CASR) for this docket. Thank you in advance.

Respectfully yours,

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Erik Sayler

From: Erik Sayler
Sent: Friday, December 18, 2009 11:55 AM
To: Pat Brady; Patti Daniel
Subject: FW: Dkt. No. 090093-WS, Heather Hills - Please provide a status update
Attachments: Re: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

FYI -

Based on Linda's and Mike Smallridges' emails, it looks like we'll have movement on this the first week in January.

Erik Sayler
 850-413-6084

From: doecottage@aol.com [mailto:doecottage@aol.com]
Sent: Thursday, December 17, 2009 7:37 PM
To: Erik Sayler
Subject: Re: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Dear Eric,

I am in Ohio for the Christmas season, will be returning to Florida sometime the first week of January. We are discussing the possibility of Steve meeting with the Starkeys (Please check with him regarding the date and other details). Hopefully this issue can be resolved to best serve the interests of the utility users.

Blessings of the season to you and your staff.

Linda Doepker

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

From: Erik Sayler <esayler@PSC.STATE.FL.US>
To: reilly.steve@leg.state.fl.us; DOECOTTAGE@aol.com; Mike Smallridge <utilityconsultant@yahoo.com>
Cc: Pat Brady <PBrady@PSC.STATE.FL.US>; Patti Daniel <PDaniel@PSC.STATE.FL.US>
Sent: Thu, Dec 17, 2009 2:04 pm
Subject: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Dear Linda & Steve & Mike,

Would you please provide Commission staff a status update on the negotiations regarding the protest of the Heather Hills application to transfer ownership? We have not heard anything as of late. Have you reached any decision? Please respond

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Erik Sayler

From: Mike Smallridge [utilityconsultant@yahoo.com]
Sent: Thursday, December 17, 2009 5:13 PM
To: Erik Sayler
Subject: Re: Dkt. No. 090093-WS, Heather Hills - Please provide a status update

Hey Erik, I spoke with Steve Riley last week and he is meeting with the Heather Hills folks and us on January 6th at the Heather Hills Clubhouse to see if there is any common ground. I will be able to let you know as soon as we can meet with him on the 6th. Mike

--- On Thu, 12/17/09, Erik Sayler <esayler@PSC.STATE.FL.US> wrote:

From: Erik Sayler <esayler@PSC.STATE.FL.US>
Subject: Dkt. No. 090093-WS, Heather Hills - Please provide a status update
To: reilly.steve@leg.state.fl.us, DOECOTTAGE@aol.com, "Mike Smallridge" <utilityconsultant@yahoo.com>
Cc: "Pat Brady" <PBrady@PSC.STATE.FL.US>, "Patti Daniel" <PDaniel@PSC.STATE.FL.US>
Date: Thursday, December 17, 2009, 10:04 PM

Dear Linda & Steve & Mike,

Would you please provide Commission staff a status update on the negotiations regarding the protest of the Heather Hills application to transfer ownership? We have not heard anything as of late. Have you reached any decision? Please respond as we need to revise our internal case planning data system (or CASR) for this docket. Thank you in advance.

Respectfully yours,

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