

Date: July 1, 2010

From: Lavoyd and Donna Yates
36426 Clara Street
Eustis, FL 32736

To: Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Re: Docket # 100085-WU, Black Bear Reserve Water Company, Inc.
Application for certificate to operate a water utility in Lake County, Florida

RECEIVED-FPSC

10 JUL -9 AM 9: 33

COMMISSION
CLERK

DISINTEGRATION CENTER
10 JUL -9 AM 7: 17

Objection to Application

1. Operating the water plant without a permit
 - a. The present water company appears to be operating illegally!
 - b. It appears they have no consumptive use permit!

2. The exclusion of Clar-Mart subdivision residents to participate in water company meetings.
 - a. March 2010 the current water company was to hold a meeting on future rates for potable and irrigation. The Clar-Mart subdivision (whom is supplied with water from Black Bear Reserve) was not invited or allowed to attend.
 - b. The pricing is a concern due to the large size of the lots in Clar-Mart subdivision.

3. Threat to employees of Rapid Retrieval, Inc.
 - a. Greg Paaske stated at January 4, 2010 meeting that trespassing warrants would be issued to any employee from previous water company if they were caught on Black Bear Reserve property.
 - b. Rapid Retrieval had a certified Technician employed to service and oversee the water system daily. Not a lawn maintenance person like the current water company is using.
 - c. The system has been ignored and we have had air pumped into the potable water lines on more than one occasion.

4. Main breaks in the potable lines in January due to the freezes were not handled correctly. No boil water notice was ever given to anyone in Clar-Mart subdivision.

5. Backflow valves in the community were turned on by a lawn maintenance tech without any supervision from a certified water utility technician.
 - a. An appointed HOA board member, Rick Ressler came into Clar-Mart subdivision in January 2010 and turned on the backflow valves (owned by the residents of Clar-Mart subdivision) not informing anyone as to his actions. The backflows were left on for 3 – 4 weeks. The homeowners were charged for the water being used because the backflows are after the meters in Clar-Mart.
6. Monthly billing has not been correctly calculated. The first bills we received had no consumption on them. After that usage was incorrect and overages were written off.
7. There have been ongoing issues with the irrigation pressure. The months of May and June we have had little to no pressure at all. Attached you will see the notice posted by the current water company as to when the irrigation issues would be resolved. That has yet to happen. Using potable water could exceed the consumption permit, could a fine be levied?
8. No one on the BBRHOA board (the entity running the water company at this time) is a qualified licensed water utility technician. It is of my opinion that the current water company is completely incompetent to operate a water utility in Lake County or anywhere for that matter.
9. The current water company refuses to pay or acknowledge the note owed to Rapid Retrieval for the construction of said water system.
 - a. This current water department believes they do not have to abide by any law or ordinance except their own rules.
 - b. This in and of itself is cause enough that PSC should not be included until the validity of the mortgage is determined.
10. The current water department is billing and receiving water utility monies for potable and irrigation usage. They have also added a line item in their HOA budget to help compensate the water company. If PSC is to monitor and regulate water utility rates, does this not undermine that by adding HOA fees for the purpose of revenue to the water company? This makes PSC's involvement a mute point.

If you are your staff have any questions please don't hesitate to call at 352-483-3396.

Sincerely,

Lavoyd Yates

Water Your Lawns

Due to our irrigation pump problems, homeowners will not be billed for excess use of either irrigation or potable water, for the next two months.

Use the hose bibs on your house to supplement your irrigation system.

Do your best to conserve water.

Our irrigation problems should be fixed by next week,
On or about Wednesday 5-19-2010

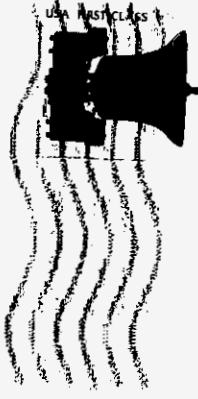
Any questions please call Wayne or Rick at the Water Company.

Water Company Phone

483-9522

Thank you for your patience!

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MID FLORIDA FDC
FL 32731
07 JUL 2010 PM

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