

COMMISSIONERS:
RONALD A. BRISÉ, CHAIRMAN
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
S. CURTIS KISER
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

June 29, 2012

RECEIVED-FPSC
12 JUN 29 PM 3:03
COMMISSION
CLERK

Mr. Herbert Hein
East Marion Sanitary Systems, Inc.
G-4225 Miller Road, #190
Flint, MI 48507-1227

Sent via Facsimile

Re: Docket No. 080562-WU - Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

Dear Mr. Hein:

On December 12, 2012, the Commission issued Order No. PSC-11-0566-AS-WU, in Docket No. 080562, approving the Settlement Agreement that East Marion Sanitary Systems, Inc. entered into with David and Carol Greco, Joseph M. Singel, Rosemary Turner, Dennis U. Smith, and Kevin Politte. According to the Settlement Agreement and the Order, East Marion was to install the irrigation meters within thirty days of the date of the Commission's order. All parties to the Settlement Agreement have paid the \$70 installation charge and yet they report the meters have not been installed. Your failure to install the meters is an apparent violation of a Commission Order.

Section 367.161, Florida Statutes, permits the Commission to impose a penalty upon any utility who knowingly refuses to comply with or willfully violates any order of the Commission. The Commission may impose a penalty up to \$5,000 for each offense. Each day that the refusal continues is a separate offense. Commission staff believes that failure to install each meter is a separate violation of the Commission's order. Accordingly, East Marion could face penalties up to \$25,000 per day for its continued refusal to install the irrigation meters.

Commission staff is requesting that East Marion install the meters within two weeks of the date of this letter. If we do not receive written confirmation on or before July 13, 2012, that all five meters are installed, Commission staff will ask that the Commission issue an Order to Show Cause why East Marion Sanitary Systems, Inc. should not be fined for violation of the Commission's December 12, 2012 order.

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

04318 JUN 29 2
FPSC-COMMISSION CLERK

Mr. Herbert Hein

Page 2

June 29, 2012

Please do not hesitate to contact me with any questions regarding this matter. I can be reached at 850-413-6230.

Sincerely,

A handwritten signature in cursive script that reads "Lisa C. Bennett". The signature is written in black ink and is positioned above the typed name.

Lisa C. Bennett
Senior Attorney

LCB:th

cc: David and Carol Greco
Joseph M. Singel
Rosemary Turner
Dennis U. Smith
Kevin Politte
Steve Reilly
Michael Smallridge
Ann Cole, Commission Clerk