

State of Florida



Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

DATE: April 13, 2015

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Kelley F. Corbari, Senior Attorney, Office of the General Counsel: RAS Section

RE: **Docket No. 150000-OT** – East Marion Sanitary Systems, Inc. – Apparent violations of Sections 367.0816, 367.081 and 367.091, Florida Statutes, and Rule 25-30.350, Florida Administrative Code, and Possible implementation of show cause proceedings against East Marion Sanitary Systems, Inc. pursuant to Sections 350.127 and 367.161, Florida Statutes. KFC

Docket No. 010869-WS – Application for staff-assisted rate case in Marion County by East Marion Sanitary Systems, Inc.

Attached please find a copy of staff's February 26, 2015, certified letter to Mr. Herbert Hein, President/Owner of East Marion Sanitary Systems, Inc. (Doc. 01166-15), which was returned by the U.S. Post Office and marked "return to sender, unclaimed, unable to forward." Please file the document in the above docket files and reference Document No. 01166-15 and Docket No. 010869-WS with the filing.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

KFC

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Mr. Herbert Hein, President/Owner
EAST MARION SANITARY SYSTEMS, INC.
4225 Miller Road, #190
Flint, MI 48507

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1. Article Addressed to:

**Mr. Herbert Hein, President/Owner
EAST MARION SANITARY SYSTEMS, INC.
4225 Miller Road, #190
Flint, MI 48507**

2. Article Number

7006 0100 0003 1097 3133

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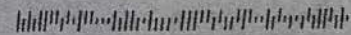
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STATE OF FLORIDA



GENERAL COUNSEL
CHARLIE BECK
(850) 413-6199

Public Service Commission

February 26, 2015

VIA CERTIFIED & REGULAR MAIL

Mr. Herbert Hein, President/Owner
EAST MARION SANITARY SYSTEMS, INC.
4225 Miller Road, #190
Flint, MI 48507

Mr. Mike Smallridge, Operator
EAST MARION SANITARY SYSTEMS, INC.
3336 Grand Blvd., Suite 102
Holiday, FL 34690

RE: Apparent violations of Sections 367.0816, 367.081 and 367.091, Florida Statutes, and Rule 25-30.350, Florida Administrative Code, and Possible implementation of show cause proceedings against East Marion Sanitary Systems, Inc. pursuant to Sections 350.127 and 367.161, Florida Statutes.

Dear Mr. Hein and Mr. Smallridge:

Pursuant to Commission Order No. PSC-02-1168-PAA-WS¹ in Docket No. 010869-WS, East Marion was permitted to recover its rate case expenses over a four year period. The recovery period ended on September 4, 2006.² The Order specified that revised tariff sheets reflecting the elimination of this expense were to be filed with the Commission no later than one month prior to this date.³ Schedule Nos. 4 and 4A of the Order set out the amounts by which the utility's rates were to be reduced.⁴ While the rate reduction was recently implemented along with East Marion's 2014 index filing that became effective August 29, 2014, the delay in implementing the reduction resulted in East Marion over-collecting rate case expenses between September 2006 to September 2014.

¹ See, Order No. PSC-02-1168-PAA-WS, issued August 26, 2002, finalized by Order No. PSC-02-1273-CO-WS, issued September 18, 2002, in Docket No. 010869-WS, In Re: Application for staff-assisted rate case in Marion County by East Marion Sanitary Systems, Inc.

<http://www.floridapsc.com/library/filings/02/08991-02/08991-02.PDF>

² Id. at p. 55.

³ Id.

⁴ Id. at p. 74-75.