

State of Florida



# Public Service Commission

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

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

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**DATE:** September 29, 2016

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

**FROM:** Melinda H. Watts, Engineering Specialist III, Division of Engineering *MHW*

**RE:** Docket No. 160023-WU - Application for transfer of majority organizational control of Sunny Shores Water Company, Inc., holder of Certificate No. 578-W in Manatee County, from Jack E. Mason to Jack E. Mason, II and Debbie A. Mason. *RES*

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Please file the attached "Notice of Apparent Violation" letter in the above mentioned Docket File.

Thank you.

COMMISSIONERS:  
JULIE I. BROWN, CHAIRMAN  
LISA POLAK EDGAR  
ART GRAHAM  
RONALD A. BRISÉ  
JIMMY PATRONIS

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL  
KEITH C. HETRICK  
GENERAL COUNSEL  
(850) 413-6199

## Public Service Commission

September 19, 2016

Cheryl L. Gordon  
[cgordon@slk-law.com](mailto:cgordon@slk-law.com)  
240 South Pineapple Avenue  
P.O. Box 49948  
Sarasota, FL 34230-6948

via email, US Mail, and Certified Mail

**Re: Notice of Apparent Violation of Section 367.031, Florida Statutes, and Rule 25-30.034, Florida Administrative Code, and Possible Implementation of Show Cause Proceedings Against Sunny Shores Water Company, Inc.**

Dear Ms. Gordon,

This letter is a follow-up to my prior letter, dated April 19, 2016.

Pursuant to your letter, dated May 4, 2016, Sunny Shores Water Company, Inc. (Sunny Shores) agreed to only bill its customers for wastewater in the amount that Sunny Shores is charged by Manatee County for the wastewater, until a resolution was reached concerning Sunny Shores' apparent violation of Section 367.031, Florida Statutes, and Rule 25-30.034, Florida Administrative Code (F.A.C.).

Based on our May 26, 2016 phone call, it is my understanding that Sunny Shores is determining whether it will file an application for an original certificate of authorization to provide wastewater services as an existing utility currently charging for service, pursuant to Rule 25-30.034, F.A.C. As of today, Sunny Shores has not filed this application. If Sunny Shores intends to reinstate its charges for wastewater that exceed the amount Manatee County charges Sunny Shores for wastewater, Sunny Shores must file the appropriate application for certification.

Please confirm in writing: (1) whether Sunny Shores intends to file an application for wastewater certification and (2) that Sunny Shores is still only billing its customers for wastewater in the amount that Manatee County charges Sunny Shores for wastewater. Also, in order to allow Commission staff to verify that Sunny Shores has discontinued its unauthorized charges for wastewater, please provide: (1) a copy of the bills from the wastewater utility providers to Sunny Shores for wastewater service from the most recent quarterly billing; (2) a summary of all bills to the customers of Sunny Shores for wastewater service for the same period; (3) an explanation and sample calculation of the method used to prorate these bills to

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tenants; and (4) a list of all administrative or collection fees charged to the customers for the same time period.

Please provide Sunny Shores' responses and documentation by October 7, 2016.

If you have any questions, please contact me at (850) 413-6076 or [mleather@psc.state.fl.us](mailto:mleather@psc.state.fl.us).

Sincerely,



Margo A. Leathers  
Attorney

MAL

cc: Division of Economics (Hudson, Daniel, Schafer)  
Division of Engineering (Watts, Ballinger)