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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20110254-WS

INITIATION OF SHOW CAUSE
PROCEEDINGS AGAINST FOUR
POINTS UTILITY CORPORATION IN
POLK COUNTY FOR VIOLATION OF
COMMISSION RULES AND
REGULATIONS AS OUTLINED IN
THE FLORIDA PUBLIC SERVICE
COMMISSION'S MANAGEMENT AUDIT
FOR FOUR POINTS UTILITY
CORPORATION AND BIMINI BAY
UTILITIES CORPORATION ISSUED
JUNE 2011.

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DOCKET NO. 20170270-WS

APPLICATION FOR
ACKNOWLEDGMENT OF TRANSFER OF
RECEIVERSHIP TO POLK COUNTY,
AND CANCELLATION OF
CERTIFICATE NOS. 634-W AND
544-S, BY FOUR POINTS UTILITY
CORPORATION.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 5

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER DONALD J. POLMANN
COMMISSIONER GARY F. CLARK

DATE: Tuesday, February 6, 2018

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: ANDREA KOMARIDIS
Court Reporter and
Notary Public in and for
the State of Florida at Large

1 P R O C E E D I N G S

2 CHAIRMAN GRAHAM: Item No. 5.

3 MS. JANJIC: Good morning, Commissioners,
4 Chairman.

5 Item No. 5: In 2007, Four Points Utility
6 Corporation was granted Certificate Nos. 634W and
7 544S. In 2011, a show-cause proceeding was
8 initiated for potential violations of numerous
9 Commission rules and statutes.

10 On January 25th, 2012, David Meadows, then
11 utility owner, filed a notice of the abandonment of
12 the utility, and Michael Smallridge was appointed
13 the receiver.

14 On September 9th, 2016, Michael Smallridge and
15 Polk County, filed a joint petition and, by order
16 dated November 4th, 2016, the Circuit Court
17 appointed Polk County as a successor receiver.

18 On November 14, 2016, the Commission received
19 a filing from Michael Smallridge with documentation
20 of the Circuit Court order as well as other
21 information related to the transfer of
22 receivership.

23 Staff believes the sufficient documentation
24 has been provided and, therefore, recommends the
25 Commission acknowledge the transfer of receivership

1 of Four Points from Michael Smallridge to Polk
2 County and cancel Certificate Nos. 634W and 544S.

3 As for the show-cause docket, staff recommends
4 that, based on the totality of the circumstances,
5 no further action is necessary with respect to the
6 utility and that both dockets should be closed.

7 Staff is available for any questions.

8 CHAIRMAN GRAHAM: Thank you, staff.

9 Commissioners. Commissioner Brown?

10 COMMISSIONER BROWN: Thank you.

11 Just a question with regard to the outstanding
12 RAFs, penalties, and interests that were addressed
13 previously, administratively. What did staff do
14 with those amounts and how much were they?

15 MS. JANJIC: The -- let me -- just one second.

16 After a certain time, they were taken care of
17 administratively. I believe if it's four years,
18 they're -- the interest was paid off. I have the
19 amounts. And after a certain time, Mr. Smallridge
20 has been paying his RAFs. So, as of right now, as
21 of filing, the RAFs are current and have been taken
22 care of.

23 COMMISSIONER BROWN: I'm just curious, when
24 you say administratively they were handled, were
25 any amounts written off?

1 MS. CRAWFORD: That's correct. Basically they
2 age out due to the statutory time frames in which
3 you have to seek recovery on those amounts. And
4 so -- that they were written off. However, as --
5 as Ms. Janjic points out, since that time in the
6 receivership, all RAFs have been timely paid.

7 COMMISSIONER BROWN: What -- can you give us a
8 gauge of what was written off?

9 MS. JANJIC: In 2009, it was the interest
10 only. I do not have the amount. In 2010 and '11,
11 it was the RAFs and interest. And 2013, it was the
12 interest only that was written off.

13 And since the receiver took over the utility,
14 Mr. Smallridge, RAFs have been paid timely.

15 COMMISSIONER BROWN: Thank you. This has been
16 going on for a while, this --

17 MS. JANJIC: Yes.

18 COMMISSIONER BROWN: -- particular case.

19 With that, Mr. Chairman, I would move staff
20 recommendation.

21 CHAIRMAN GRAHAM: Hold on. We've got one more
22 Commissioner.

23 Commissioner Polmann.

24 COMMISSIONER POLMANN: Thank you,
25 Mr. Chairman.

1 Just a comment here. I don't know if
2 Mr. Smallridge is here. I didn't see him, but I
3 just wanted to express here appreciation for him
4 stepping up and acting as the receiver in the
5 interim. So, just that comment. Thank you.

6 CHAIRMAN GRAHAM: Okay. It's been moved and
7 second, staff recommendation.

8 Any further discussion? Seeing none, all in
9 favor, say aye.

10 (Chorus of ayes.)

11 CHAIRMAN GRAHAM: Any opposed?

12 By your action, you have approved staff
13 recommendation on Item No. 5.

14 MS. JANJIC: Thank you.

15 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED THIS 15th day of February, 2018.



ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #GG060963
EXPIRES February 9, 2021